

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M-37642-2020
Decided on : 27.01.2021**

PREET @ PATTA @ GURPREET SINGH

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Sanjay Jain, Advocate
for the petitioner.

Mr. Arun Beniwal, DAG Haryana
assisted by ASI Om Parkash.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.331, dated 29.06.2020 under Sections 148, 149, 323, 324, 325, 307, 506 and 201 of the Indian Penal Code, 1860 and Sections 3, 1(S), 3(2)V, VA of the SC & ST Act, 1989 (Amendment 2015) registered at Police Station Shahbad, District Kurukshetra.

In compliance of orders dated 17.12.2020 and 06.01.2021, reply by way of an affidavit of Atma Ram, HPS, Deputy Superintendent of Police, Shahabad, Kurukshetra has been filed on behalf of the respondent-State.

The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case in hand. He further contends that the petitioner has been in custody since 11th August, 2020 and only challan has been presented till date. Hence, there is no likelihood of the trial concluding any time in the near future. Learned counsel further contends that even the perusal of the FIR in question reveals that highly unbelievable and exaggerated version has been brought forth by the complainant inasmuch as his presence at

the time of alleged occurrence itself is in doubt. Though the complainant stated in the FIR that he had received injuries in the alleged occurrence, however, there was no medical evidence in support thereof.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner on instructions from ASI Om Parkash has submitted that charges are likely to be framed in the near future. However, learned State counsel has not been able to controvert the factum of their being no MLR with respect to the injuries received by the complainant in the occurrence in question.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 27, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*