

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

206

CRM-M-39784-2020 (O&M)

Date of Decision: 03.08.2021

KRISHAN KUMAR @ SONU

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. J.S. Bedi, Senior Advocate with
Mr. Sunil Sihag, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G. Haryana.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.40 dated 14.03.2017, registered under Sections 148, 149, 302, 323, 324, 325, 506 IPC and Sections 24, 54 and 59 of the Arms Act, 1959, at Police Station Shahzadpur, District Ambala, Haryana.

Learned Senior counsel for the petitioner submits that initially, no role was attributed to the petitioner but it was after 2 months and 10 days of the alleged occurrence, Jaspal Singh-injured, had attributed a specific role to the petitioner and a supplementary challan was presented. He further submits that the petitioner has been in custody for the last more than 4 years. Still further, it is submitted that co-accused, Ramkaran @ Tilla, has been granted the concession of regular bail by a Coordinate Bench of this Court vide order dated 20.04.2018.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner and the fact that it was at a later stage that the petitioner was attributed a specific role in the present FIR. He, however, submits that the petitioner had inflicted knife injury to deceased, namely, Kanwar Pal Singh, who died during his treatment on 16.03.2017. Still further, it is submitted that out of 32 prosecution witnesses, 07 have already been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody for the last more than 04 years. Moreover, co-accused of the petitioner has already been granted the concession of bail. Further, keeping in view the prevailing situation of Covid-19 Pandemic, the trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

03.08.2021

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*