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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-42011-2020
Date of Decision: 23.11.2021

Suraj

..... Petitioner

Versus

State of Haryana

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. J.P. Jangu, Advocate,
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

Mr. Prashant S. Chauhan, Advocate,
for the complainant.

SUDIP AHLUWALIA, J. (ORAL)

This is the 2nd petition for regular bail filed on behalf of the petitioner under Section 439 Cr.P.C. in case FIR No.0163 dated 25.05.2019, under Sections 148, 149, 307 & 302 of the IPC and Section 25 of the Arms Act, registered at Police Station City Rewari, District Rewari.

[2]. The first petition was dismissed by this Court in **CRM-M-23017-2020** on 27.08.2020 (Annexure P-13) with the following observations:-

“3. Ld. Counsel for the complainant, however, draws attention of the Court to the statement given by witness Dinesh, who directly named the petitioner as being a member of the unlawful assembly, which had gathered and in pursuance of whose common intention, the deceased was killed by shooting at him, which shooting was imputed to two specifically

named persons in the FIR.

4. Considering the over all circumstances, this Court is not inclined to release the petitioner on bail, at this stage.”

[3]. The petitioner thereafter even approached the Hon'ble Apex Court for challenging the above order in SLP (Criminal) No.4510 of 2020, which was also dismissed as withdrawn on 27.10.2020 (Annexure P-14).

[4]. No new ground has been made out which would entitle the petitioner to be released on bail, at this stage. The mere fact that the trial has not been proceeding expeditiously in itself cannot be regarded as a sufficient ground to deviate from the earlier order rejecting the petitioner's first prayer for bail considering that in the interregnum, there had been a massive out break of the second wave of COVID-19 Pandemic, and another co-accused, namely, Dharamraj could not be apprehended for long.

[5]. For the aforesaid reasons, this Court finds no reason to acknowledge the submission made by the petitioner at this stage.

[6]. Dismissed.

23.11.2021

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No