

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

205

CRM-M-5039-2022

DATE OF DECISION: 07.07.2022

ROSHAN LAL

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. S.K. Bishnoi, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.143 dated 29.04.2019, under Sections 147, 148, 149, 302, 323, 427 and 452 IPC, registered at Police Station Bhuna, District Fatehabad.

Learned counsel for the petitioner contends that although the petitioner is named in the FIR but no specific injury has been attributed to him. He further contends that the petitioner is alleged to be armed with a 'kappa' and along with other accused had allegedly given blows to the deceased. He also contends that no motive is attributed to the petitioner. The petitioner is suffering from a severe diabetes. He had also remained admitted in hospital. Learned counsel has referred to the copy of the medical report filed by the Jail Superintendent. He is in custody for over 2 years and 4 months and is not involved in any other criminal case.

Learned State counsel, upon instructions from SI Sanjay Kumar, contends that challan has been filed but no prosecution witness has been examined. He also states that in view of the serious allegations against the petitioner, the petitioner is not entitled to the concession of regular bail at this stage.

Heard.

The petitioner is stated to be a case of Type 2 DM. The petitioner was referred to the Civil Hospital and thereafter was referred to MAMC Agroha for further treatment. He remained admitted in the hospital from 17.03.2022 to 27.03.2022.

In view of the above, especially when the petitioner is suffering from an ailment, he is in custody for over 2 years and 4 months, he is not involved in any other criminal case, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

07.07.2022

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No