

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

231/2

CRM-M-35321-2021 (O&M)

Date of decision : 14.01.2022.

Kunal

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Gitesh Sharma, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

CRM-37067-2021

Case taken up through video conferencing.

This application is for placing on record Annexures P-3 to P-8.

Heard. For the reasons stated in the application, the same is allowed and Annexures P-3 to P-8 are taken on record.

Main case

The petitioner is seeking regular bail in FIR No.169 dated 23.10.2019 under Sections 302, 323, 324, 34 IPC and Section 25 of the Arms Act, registered at Police Station Kalka, District Panchkula.

Learned counsel for the petitioner contends that the incident is outcome of a sudden altercation between occupants of an auto rickshaw and some bystanders. A solitary injury on the deceased is attributed to co-accused Arvind who was the auto rickshaw driver. He is stated to have inflicted a knife blow on the chest of the deceased. He has referred to the copy of the postmortem report at Annexure P-5 which indicates a solitary injury on the

chest of the deceased. The petitioner is alleged to have caused simple injuries to PW-Parveen, who is an alleged eye-witness. He, however, contends that the injured-Parveen was not medically examined and there is no MLR on record. The petitioner is in custody for over two years and three months since his arrest on 23.10.2019 and is not involved in any other criminal case.

Learned State counsel, upon instructions from SI Vinod Kumar, states that 02 out of 24 prosecution witnesses have been examined. She also contends that an iron jack is stated to have been recovered from the petitioner. She, however, is not in a position to controvert the submissions of learned counsel for the petitioner that the injured-Parveen was not medically examined.

Heard.

In view of the above especially when the petitioner has not attributed any injury to the deceased, he is in custody for over two years and three months, he is not involved in any other 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

January 14, 2022

sonia gugnani

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