

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.2973 of 2020

Date of Decision: May 20, 2020

Surinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.G.S.Jagpal, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Surinder Kumar has prayed for grant of regular bail in case FIR No.101 dated 23.06.2019 registered under Sections 323, 324, 341, 326, 506 read with Section 34 IPC, registered at Police Station Division No.2, Ludhiana. He is in custody since his arrest on 07.08.2019.

The FIR was registered on the statement of Ankur @ Anku son of Joginderpal Singh with the allegations that on 22.06.2019, when after lunch he came out for a walk in the street, then there Surinder Mehndi and his friend Gulla along with two other unknown persons armed with khanjjar, Dah and dandas attacked on the complainant. They all caused injuries to the complainant and when alarm was raised, all assailants ran away.

Learned counsel for the petitioner contends that initially the FIR was registered for the offences punishable under Sections 323, 324, 341, 506 and 34 IPC and subsequently offence punishable under Section

326 IPC was added on 29.06.2019 after receiving the opinion of the doctor. It is pointed out that though the said injury is attributed to the petitioner, however, according to him, further custody of the petitioner may not be justified, particularly when the other accused have been granted bail by this Court. He has invited the attention of the Court to the orders (Annexures P-2 to P-4). Learned counsel has prayed that during the pendency of the trial, petitioner be released on regular bail.

On the other hand, learned State counsel, on instructions, submits that the petitioner has been specifically named in the FIR. He has caused injuries on the left arm and elbow of the victim. However, it is not disputed that the investigation of the case is complete and challan has been filed.

After hearing the learned counsel for the parties and considering the above background of the case, this Court is of the opinion that the offences are triable by Magistrate and the trial is likely to consume considerable time in view of the outbreak of global pandemic, namely, COVID-19 in the region and State Government and District Administration have imposed various restrictions to curb its spread, therefore, further custody of petitioner may not be justified.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Ludhiana.

The petition is allowed.

May 20, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

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