

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.3820 of 2020 (O&M)
Date of Decision.22.07.2020
(Heard through VC)

Shera Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ashok Giri, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

CRM No.15982 of 2020

Prayer in the application is for preponment of the bail application, which is now listed for 10.09.2020.

With the consent of both the parties, the application is allowed and hearing of the main petition is preponed for today itself.

CRM-M No.3820 of 2020

This is a petition that has been filed for grant of regular bail in case FIR No.68 dated 08.08.2017 under Sections 376, 511, 307, 450, 34 IPC(Sections 302, 201 IPC added later on) registered at Police Station Bhindi Saidan, District Amritsar Rural.

Counsel for the petitioner herein would contend that the complainant has been examined and in the cross-examination, he has not supported the version as set out by the prosecution. He further contends that the petitioner is in custody since 5.4.2019. The investigation is complete and the challan has already been presented, therefore, the

petitioner is entitled to concession of bail.

Learned counsel appearing for the respondent-State opposes the regular bail while contending that no ground is made out for granting concession of regular bail. However, on instructions from ASI Sukhdev Singh, he does not dispute the fact that complainant has been examined.

I have heard learned counsel for the parties.

Keeping in view the fact that the complainant has been examined and he did not support the case of prosecution, coupled with the fact that the trial is likely to take some time to conclude as due to COVID-19 situation, Courts are not working at their full strength and not taking up regular hearing matters, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

July 22, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No