

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

**CRM-M-7670-2020(O&M)**

**Date of decision: 06.10.2020**

Sanjiv Kumar @ Sanjeev Kumar and another

...Petitioners

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. M.S. Uppal, Advocate for the petitioners.

Mr. Dhruv Dayal, Sr. DAG Punjab.

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**HARNARESH SINGH GILL, J. (ORAL)**

Case is taken up for hearing through video conferencing.

The petitioners have filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 0095 dated 03.11.2019 registered under Sections 302 and 34 IPC at Police Station Joga, District Mansa.

Learned counsel for the petitioners states that the petitioners have been implicated in the present case despite the fact that they have nothing to do with the death of the deceased. Petitioner No. 1 was not armed with any weapon, whereas petitioner No. 2 hit upon Anil Goyal with the sieve meant for frying the *pakor*as and a *dang* blow on the person of the deceased is attributed to co-accused Gurpreet Singh, who is not related to the

petitioners. Petitioner No. 1 is the elder brother of deceased-Subhash Chand.

Copies of custody certificates by way of affidavits dated 05.10.2020 of the Deputy Superintendent, District Jail, Mansa, submitted by the learned State counsel through email, are taken on record. He points out that petitioner No. 1 manhandled with the deceased. There are specific allegations against the petitioners that they had actively participated in the commission of crime.

I have heard the learned counsel for the parties.

The petitioners have been in custody since 07.11.2019. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioners behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioners are ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

**(HARNARESH SINGH GILL)**  
**JUDGE**

**06.10.2020**

*Mangal Singh*

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No