

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

**203**

**CRM-M No.6887 of 2020  
Date of decision:07.10.2020**

Jaskaran Singh Bedi

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr.Rahul Sharma-1, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Manoj Kumar, Advocate for the complainant.

**SUVIR SEHGAL J. (ORAL)**

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.89, dated 31.03.2018 registered under Sections 302, 307, 325, 324, 323, 148, 149 and 427 IPC at Police Station City Rajpura, District Patiala.

Counsel for the petitioner has submitted that a perusal of the FIR, Annexure P-1, shows that no injury has been attributed to the petitioner and a cross-case was lodged by him, wherein the petitioner had alleged that the complainant party along with 14-15 young boys came on motorcycles armed with datar, swords and sticks and inflicted sword injuries on Ashish and Gurkirpal. In the fight between the two

groups, both sides suffered injuries. He has stressed on the fact that there is no attribution qua the petitioner insofar as the deceased Sohan Singh, is concerned. Counsel for the petitioner has argued that his case is at par with that of co-accused, Gurkirat Singh who has been granted bail by this Court vide order dated 20.11.2019, passed in CRM-M-21648-2019, ***Gurkirat Singh Vs. State of Punjab***, Annexure P-5. Counsel for the petitioner further submits that the petitioner is in custody since 14.04.2018 and deserves to be enlarged on bail as the trial is not progressing due to the outbreak of corona virus.

Per contra, State counsel upon instructions from ASI Avtar Singh, submits that Kamaljit in his statement recorded under Section 161 of Code of Criminal Procedure has alleged that the petitioner had given him two blows with a bamboo stick. He further submits that challan was filed on 12.07.2018, charges were framed on 03.11.2018 and examination-in-chief of 2 prosecution witnesses out of 31 prosecution witnesses have been recorded. It has further been brought to the notice of the Court that despite the fact that the examination-in-chief of both the witnesses was recorded in October, 2019, the accused are delaying the trial by not coming forward to cross-examine the said witnesses.

I have considered the rival submissions of the parties.

Order dated 20.11.2019, passed by this Court, in the case of co-accused has been examined and there is parity in the case of the petitioner with the said co-accused. Keeping in view the period of incarceration of the petitioner and the fact that the trial is likely to take time to conclude because of the pandemic, no purpose would be served

by keeping the petitioner in further detention. Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

**07.10.2020**

pooja saini

**(SUVIR SEHGAL)  
JUDGE**

Whether Speaking/Reasoned : Yes/No

**Whether Reportable : Yes/No**