

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

CRM-M-8543 of 2020(O&M)

Date of Decision: 03.06.2020.

Kamalpreet Singh @ Kamal Saini

....Petitioner

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. J. S. Thakur, Advocate
for the petitioner.

Mr. Ramdeep Pratap Singh, DAG, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Kamalpreet Singh @ Kamal Saini** in case F.I.R. No.164 dated 22.12.2016 under Sections 148, 307, 323, 324 and 379-B IPC read with Section 149 IPC (later on charges framed under Sections 148, 307, 323, 324, 325, 326 and 394 IPC read with Section 149 IPC) registered at Police Station Sadar Hoshiarpur, District Hoshiarpur.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that though injury by means of hammer on the right leg below the

knee on the person of complainant-Dilbara Singh @ Baghi has been attributed to petitioner but the said injury has been declared simple in nature. He further submits that petitioner is in custody since December 2018. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since December 2018 and consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Kamalpreet Singh @ Kamal Saini** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Hoshiarpur, as the case may be. However, petitioner has been given liberty to defer the furnishing of surety bond due to COVID-19 but he is directed to furnish the surety bond to the satisfaction of Trial

CRM-M-8543 of 2020 :3:

Court/Chief Judicial Magistrate/Duty Magistrate, Hoshiarpur, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(LALIT BATRA)
JUDGE

03.06.2020
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No