

CRM-M-11186-2020

Date of Decision:28.09.2020

Davinder Singh @ Goru @ Gaurav

.....Petitioner

Vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Anil Kumar Spehia, Advocate,
for the petitioner.

Mr. A.P.S.Gill, DAG, Punjab.

Mr. Kulwant Singh, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks the concession of 'regular bail', under the provisions of Section 439 Cr.P.C. read with Section 482 Cr.P.C., upon FIR No.171, dated 13.10.2016, having been registered at Police Station Division No.5, Police Commissionerate, Jalandhar, alleging therein the commission of offences punishable under Sections 302, 148 and 149 of the Cr.P.C.

Pursuant to the previous orders passed by this court the report of the learned JMIC, Jalandhar, dated 04.09.2020, has been received, stating therein that the statement of Harpreet Kaur (whom the petitioner wishes to marry), was recorded before that court, stating to the effect that she is 19 years of age and wishes to get married to the petitioner (Davinder Singh Singh @ Goru alias Gaurav, who is about 21 years of age).

As per the assessment of the learned Magistrate, the statement was made by Harpreet Kaur, voluntarily without fear, threat or coercion.

Learned counsel for the petitioner submits that the petitioner has been in custody for almost four years (about 21 days short), and though the petitions earlier filed by the petitioner were dismissed, he may be admitted to interim bail to enable him to get married.

Upon query to learned State counsel he submits that the injury inflicted by the petitioner in the stomach of the deceased is actually the one which led to the death of the deceased, though he was also attacked by other persons alongwith the petitioner.

Upon further query he submits that as per his instructions there is no other criminal case registered against the petitioner.

That being so, without making any comment on the actual merits of the case at all, this being a petition seeking that the petitioner be admitted to interim bail for two weeks to enable him to get married, the petition is allowed and the petitioner is ordered to be admitted to bail, upon him furnishing adequate bail and surety bonds to the satisfaction of the trial court/CJM/Duty Magistrate, concerned for a period of two weeks from the date he furnishes the said bail and surety bonds.

He shall also surrender his passport to that court.

September 28, 2020

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES
Whether Reportable : NO