

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

CRM-M-12199 of 2020.

Decided on:- June 01, 2020.

Balwinder Singh @ Fauji.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Umesh Aggarwal, Advocate
for the petitioner.

Ms. Monika Jalota, D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed present petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.14 dated 09.02.2019 under Sections 307 and 323 read with Section 34 IPC as well as under Sections 25 & 27 of the Arms Act, 1959 registered at Police Station GRP (Railway Police), Amritsar.

Learned counsel for the petitioner submits that it is in the background of the FIR No.9 dated 23.01.2019 under Sections 341 and 365 IPC registered at Police Station Division A, Police Commisionerate, Amritsar against complainant Gurinder Singh at the behest of Kulwant Kaur wife of the present petitioner, complainant Gurinder Singh has got the present FIR registered against the petitioner. Even otherwise, the injury attributed to the petitioner is a Datar blow from its back side on the head of Gurinder Singh,

the complainant in the present FIR and the said injury is simple in nature. The petitioner is in custody since 03.08.2019 and the Challan has been presented in the case on 05.03.2020. In this manner, the conclusion of trial would take long time.

Learned State counsel, on instructions from Inspector Partap Singh, does not dispute the custody and the fact that the FIR No.9 dated 23.01.2019 was registered against the complainant at the behest of the wife of the petitioner as regard kidnapping of their son.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 03.08.2019 and the conclusion of trial is likely to take sufficient time, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

June 01, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No