

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

**CRM-M-12880-2020 (O&M)
Decided on : 14.07.2020**

Ranjit Singh alias Gallu

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Deepak Aggarwal, Advocate
for the petitioner(s).

Ms. Rashmi Attri, Asstt. AG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No. 92, dated 29.08..2019, under Section 304 of IPC, registered at Police Station Ajitwal, District Moga.

Learned counsel for the petitioner *inter alia* contends that it is a case of false implication, inasmuch as, the FIR in question was registered on 29th August, 2019, wherein, the complainant stated that he suspected that somebody had administered intoxicant to his deceased brother, which led to his death. Thereafter, on 02nd September, 2019, the complainant made a supplementary statement under Section 161 Cr.P.C., wherein, he stated that he had come to know that his deceased brother was in the company of the petitioner at the time of the alleged crime and had been administered intoxicant by him. It was on the basis of this supplementary statement that the petitioner was named as an accused in the instant case.

Learned counsel for the petitioner further contends that the petitioner

has been behind bars since 02nd September, 2019 and only charges have been framed till date and hence there is no likelihood of the trial being concluded in the near future.

Per contra learned State counsel while opposing the prayer made by learned counsel for the petitioner, however, has not been able to controvert the factum of the name of the petitioner being nominated as an accused only on the basis of the supplementary statement recorded by the brother of the deceased after three days of the alleged occurrence.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been behind bars since 02nd September, 2019, no useful purpose would be served in keeping the petitioner behind bars, as the trial is unlikely to conclude in the near future, more so in the prevailing conditions due to the outbreak of pandemic COVID-19. Accordingly, I deem it a fit case for grant of the concession of regular bail. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 14, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*