

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-14176-2020 (O&M)
Date of Decision:- 19.6.2020

Yadwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bal Krishan Mehta, Advocate, for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.60, dated 26.6.2018, Police Station Sadar Banga, District Shahed Bhagat Singh Nagar, under Sections 279, 337, 427 IPC wherein offence under Section 307 IPC was added lateron.

2. The FIR in question was lodged at the instance of Harwinder Singh wherein it has been alleged that on 25.6.2018 when he along with Bagicha Ram were going on a motorcycle, then his motorcycle was hit from behind by SUV Mahindra vehicle which was being driven by petitioner-Yadvinder Singh at high speed. Bagicha Ram who was sitting on the pillion seat fell on the road on account of the said impact. It is alleged that Yadvinder Singh again struck his vehicle into his motorcycle on account of which he along with his motorcycle fell down and sustained multiple injuries.
3. Learned counsel for the petitioner has submitted that in fact at best it is a case under Sections 279 and 337 IPC and that the offence under Section 307 IPC has been added after about 9 months of the occurrence without there being any credible evidence to establish the same.
4. Learned counsel for the petitioner has further submitted that in fact in the present case there is no formal MLR and that it was much later that some kind of opinion was sought from doctor on the basis of which offence under Section 307 IPC came to be added on 19.3.2019 and thereafter the petitioner was arrested on 9.12.2019.
5. Opposing the petition, learned State counsel has submitted that since it is a case where the petitioner has rammed his vehicle into the motorcycle of the complainant twice, it is clearly evident that same was done with an intention to kill him and as such no case for grant of bail is made out. It has further been informed that the petitioner is

in custody for the last about 6 months and is not involved in any other case.

6. I have considered rival submissions addressed before this Court. Having regard to the facts and circumstances of the case and the fact that the petitioner has been behind bars since the last about 6 months and is not stated to be involved in any other case, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to take some time.
7. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

June 19, 2020

mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No