

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-14773-2020

Date of decision: 23.07.2020

Gurpreet Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Inderpal Singh Parmar, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-ASI Gurpreet Singh, stated to be aged 48 years, has filed the present petition inter alia with a prayer for grant of regular bail in case FIR No.191 dated 29.08.2019, registered under Sections 376 & 417 of Indian Penal Code at Police Station Focal Point, Ludhiana.

Learned counsel for the petitioner, based on the pleadings, submits that the petitioner was arrested in January 2020. In February 2020, challan was presented and out of the total of 12 PWs, none has been examined till date. By making reference to statement under Section 164 Cr.P.C., made by the complainant-Sukhjot Kaur, counsel for the petitioner submits that 'I and accused had resided as husband and wife and accused-Gurpreet Singh had not committed any wrong with me'. Learned counsel also refers to

Panchayati Compromise (Annexure P-2), wherein, in Para-7, it is stated that if the second party wants to get FIR quashed from Court then the first party will facilitate the same by making her appearance.

On instructions from ASI Gurmeet Singh, learned State counsel submits that there is a statement under Section 164 Cr.P.C. It has also been confirmed that the petitioner has been in custody since 06 months & 10 days.

Faced with the situation, learned counsel for the petitioner submits that because of COVID-19 situation, the trial is likely to take some time and detention of the petitioner in jail would be dangerous to his life, hence, the petitioner may be granted concession of regular bail.

In view of the peculiar facts and circumstance as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of trial Court/Duty Magistrate concerned, subject to his furnishing bail/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

23.07.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No