

Sr. No. 202

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

CRM-M-15305 of 2020 (O&M)

Date of Decision: 01.07.2020

Nanak Chand @ Bunty

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. G.S. Verma, Advocate,
for the petitioner.

Ms. Bhavna Gupta, DAG Punjab.

Mr. Partap Singh Gill, Advocate
For the complainant
(presence marked through Video Conferencing)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in case FIR No. 52 dated 17.04.2020, registered under Sections 307, 326, 325, 324, 341, 148, 149 read with Section 120-B IPC, Police Station Sadar Hoshiarpur.

2. As per allegations in the FIR, the petitioner and his accomplice openly attacked complainant Lakhwinder Singh. The role attributed to the petitioner in FIR is that he inflicted two blows, as a result of which the middle finger of left hand of complainant was chopped off.

3. Learned counsel for the petitioner submits that petitioner is in custody since 12.04.2020 and the injury attributed to the petitioner is on non-

vital part. According to learned counsel, Ranjodh Singh, with whom the complainant was having enmity has been granted the concession of interim anticipatory bail by this Court. As per allegations, the petitioner was merely an aide of said Ranjodh Singh, he argues. Additionally, it is submitted that petitioner is a patient of Covid-19 and is undergoing treatment at a hospital in Ludhiana.

4. Learned State counsel, assisted by learned counsel for the complainant opposed the bail plea. According to them, first blow given by the petitioner had resulted into detaching of middle finger of the complainant. The petitioner thereafter repeated the blow and tried to hit on the head of the complainant, but the attempt was foiled by the complainant by raising his hand and thus the finger chopping. Another injury was suffered by the complainant on his elbow. Learned State counsel submits the petitioner cannot seek parity with other co-accused as he has specifically been attributed injuries. According to learned State counsel, the petitioner is undergoing treatment for Covid-19. The investigation is still going on.

5. Having heard learned counsel for the petitioner and learned State counsel assisted by learned counsel for complainant, I am of the considered view that petitioner is not entitled to any concession of bail, at this stage. The investigation is still going on some of the co-accused are still at large. The Covid-19 infection of the petitioner is already taken care of by the jail authorities by shifting him to hospital for treatment. He is currently not lodged in jail but in a hospital. Grant of bail would also mean the same as he shall have to be quarantined in a hospital, till his complete recovery. Keeping in view the gravity of the offence and the nature of injuries attributed to the petitioner, instant application is dismissed, at this stage. It is, however, made clear that till

the competent medical authority does not certify complete recovery of the petitioner from Covid 19 infection, he shall not be shifted back to the jail.

01.07.2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No