

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-15226-2020

Date of decision: 01.07.2020

Satish Kumar

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Anterpreet Singh, Advocate
for the petitioner.

Mr. Sidakmeet, 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-Satish Kumar who is stated to be aged 30 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.101 dated 03.09.2017, under Sections 302 and 34 IPC, registered at Police Station Koom Kalan, District Ludhiana.

Learned counsel for the petitioner based on pleadings submits that the petitioner is in fact innocent and has been falsely implicated in this case. Learned counsel further submits that as per the allegations, the petitioner was allegedly armed with iron rod and inflicted injury with the same.

On a question put by the Court, learned counsel for the petitioner submits that neither in the FIR nor in the statement given by the material

witnesses, it has come on record that repeated injuries were allegedly inflicted by the petitioner. He then submits that the petitioner has been in custody for nearly three years and he was arrested on 03.09.2017. He however submits that after the presentation of challan only 12 witnesses have been examined till date out of 22 witnesses and the next date before the Trial Court is 04.07.2020. Learned counsel then submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail is dangerous to his life. Therefore, petitioner is entitled for regular bail.

Learned State counsel has further submitted that the petitioner was also involved in another case.

On a question put by the Court, learned counsel for the petitioner however informed that the petitioner is on bail in that case.

Faced with a situation, learned counsel for the petitioner relies on two orders passed by this Court on 18.10.2019 (Annexure P-3) and 07.02.2020 (Annexure P-4) granting bail to the co-accused.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case. The petitioner is directed to deposit an FDR made in his own name for Rs.2 lacs for a

period of two years before the Trial Court/Duty Magistrate and would give an undertaking that he would not withdraw the same and await the further orders of the Court.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

01.07.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No