

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CRM No. M-15733 of 2020 (O&M)
Date of Decision : 11.08.2020

Khushwant Rai

....Petitioner

Versus

State of Punjab

.....Respondent

(Through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. K.S. Dadwal, Advocate for the petitioner.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

CRM-17691-2020

Application is allowed, as prayed for.

CRM No. M-15733-2020

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 14 dated 18.03.2020 under sections 307 of IPC and 27 of Arms Act, 1959, registered at Police Station Hajipur, District Hoshirapur.

Learned counsel for the petitioner submits that the injuries, which have been attributed to the petitioner, are simple in nature and Section 307 IPC has wrongly been incorporated in the FIR. Learned counsel further submits that the petitioner is a 70 year old man and keeping him behind the bars during Covid-19 situation in view of the facts and

circumstances of the present case, can cause prejudice to the petitioner in respect of his health as well.

Notice of motion.

Ms. Bhavna Gupta, learned Deputy Advocate General, Punjab, who has also joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State. Learned State counsel submits that the injuries, which were suffered by the victim, were simple in nature, though the same were pellet injuries. Learned State counsel further submits that the challan has already been presented but the charges are yet to be framed.

I have heard learned counsel for the parties and have gone through the record very carefully.

Keeping in view the fact that the injuries attributed to the petitioner are simple in nature and he is 70 year old man and is already behind the bars since 18.03.2020 and the trial is likely to take some time, petitioner has made out a case for the grant of regular bail.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not obstruct the trial in any manner or influence the witnesses, whose statement is yet to be recorded and in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall

not be construed to be an expression of any opinion on the merits of the case.

August 11, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No