

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

212

CRM-M-16478 of 2020 (O&M)

Date of decision : 13.07.2020

Pawandeep Singh @ Pannu and others

... Petitioners

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE SUVIR SEHGAL

Present:- Mr.Bikramjeet Singh Jatana, Advocate for the petitioners.
Mr.Harbir Singh Sandhu, AAG, Punjab.

Suvir Sehgal, J (Oral)

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

CRM-14333 of 2020

Learned counsel for the petitioners undertakes that he will do the needful within a period of one week from the lifting of the lock down.

Application stands disposed of.

CRM-M-16478 of 2020

Custody certificate has been filed by the State which is taken on record.

Prayer in this petition is for grant of regular bail to the petitioners in FIR No.108 dated 12.04.2020 under Sections 307, 353, 186, 188, 269, 148 and 149 IPC and Section 51 (a) of Disaster Management Act, 2005 and further enhanced offences under Sections 333 of IPC and Section 54 of Disaster Management Act, 2005, registered at Police Station Sadar Mansa District Mansa.

Learned counsel for the petitioners has submitted that the allegations are that the petitioners formed a part of group of about 30-35 persons who assaulted the police party when they had come to enforce the lock down restrictions. Three persons in the group namely Darshan Singh,

Gagan and Goldi are alleged to have been armed with weapons Fouda (wooden spade) and stick by which they have allegedly hit the complainant.

Counsel for the petitioners submits that insofar as the present petitioners are concerned, they were not armed and are in custody since 12.04.2020. He has argued that the case of petitioners is at par with that of co-accused who has been granted the bail pending trial by this Court in **Crl.Misc.No.M-12701 of 2020** vide order dated 3.6.2020 (Annexure P-3) and in Crl.Misc.No.M-14358 of 2020 vide orders dated 18.06.2020 (Annexure P-4).

Learned State counsel upon instructions from ASI Gurdeep Singh has opposed the petition and submitted that the petitioners have violated the curfew and lock down restrictions which had been imposed on account of outbreak of Corona Virus (COVID-19) pandemic and they formed a part of a group which assaulted the police. He has not been able to dispute the fact that the present petitioners were not armed.

Heard.

Keeping in view the submissions made by learned counsel for the petitioners as well as orders, Annexures P-3 and P-4 passed by this Court and the fact that the trial of the case is not likely to be concluded in the near future, and this Court is of the opinion that no useful purpose will be served by keeping the petitioners in custody in the present case. Accordingly, the petitioners are ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

Petition stands disposed of accordingly.

[SUVIR SEHGAL]
JUDGE

13.07.2020