

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 16650-2020 (O&M)

Date of decision : July 24, 2020

Harpreet Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr.Sandeep Verma, Advocate for the petitioner.

Ms.Bhavna Gupta, DAG, Punjab.

Mr. Kunwar Ranjan, Advocate for the complainant.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

The petitioner prays for bail pending trial in FIR No. 86 dated 25.11.2019 under Sections 307, 506, 34 IPC registered at Police Station Bajakhana, District Faridkot.

It is submitted that this FIR was registered due to certain misunderstandings between the parties, who are neighbours. There is an unexplained delay of seven days in the lodging of the FIR. The alleged incident is stated to have occurred on 18.11.2019 whereas the FIR was registered on 25.11.2019. Learned counsel for the petitioner submits that the injured in this case stands discharged from the hospital in November, 2019 itself. Moreover the complainant, it is submitted, has no objection in case bail is granted to the petitioner in this matter. Final report under Section 173 Cr.P.C. stands presented and no recovery has to be affected from the petitioner. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the complainant categorically states that there is no objection in case this petition is allowed.

Learned counsel for the State while opposing the petition submits that the petitioner is attributed with a serious injury to the husband of the complainant. He, however, affirms that the final report under Section 173 Cr.P.C. against the present petitioner and his father Kaur Singh stands presented on 19.02.2020. Co-accused-Kaur Singh was afforded the concession of bail vide order dated 11.06.2020 in CRM-M-13383-2020 (Annexure P-5). Due to outbreak of the pandemic, COVID-19, not much progress is being made towards the conclusion of the trial.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the trial Court, if released on bail.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to their furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court/concerned Duty Magistrate.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

July 24, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No