

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

212-A

CRM-M-16794 of 2020 (O&M)

Date of decision : 13.07.2020

Darshan Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE SUVIR SEHGAL

Present:- Mr.Bikramjeet Singh Jatana, Advocate for the petitioner.
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-14547 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-16794 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 petitioner 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 petitioner has submitted that the allegations are that the petitioner 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. The petitioner is alleged to be armed with weapon Fouda (wooden spade) and is said to have hit the complainant. Counsel submits that the complainant had received four injuries which have been declared simple and as such, offences under Sections 307 and 330 IPC are not made out. The petitioner is in custody since 12.04.2020. Reliance has been placed on orders dated 03.06.2020 and 18.06.2020, Annexures P-2 and P-3 whereby co-accused have been released on regular bail by this Court.

Learned State counsel upon instructions from ASI Gurdeep Singh has opposed the petition and submitted that the petitioner has violated the curfew and lock down restrictions which had been imposed on account of outbreak of Corona Virus (COVID-19) pandemic and he formed a part of group which assaulted the police. He has not been able to dispute the injuries suffered by the complainant were declared to be simple.

Heard.

Keeping in view the submissions made by learned counsel for the petitioner, orders Annexures P-2 and P-3 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 petitioner in custody in the present case. Accordingly, the petitioner is 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

sd

Whether speaking/reasoned

: Yes/No

Whether Reportable

: Yes/No