

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
204 (PROCEEDINGS THROUGH V.C.)

CRM-M-17077-2020

Date of decision: 06.08.2020

HARDEEP SINGH SONU

...PETITIONER

V/S

STATE OF PUNJAB

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Ms. Gursharan K. Mann, Advocate,
for the petitioner.

Mr. B.S.Sewak, Additional Advocate General, Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioner has produced an order dated 02.05.2018 passed by the Additional Sessions Judge, Amritsar, through email, in an appeal preferred by the petitioner and his co-accused, wherein the petitioner stands acquitted in FIR No. 87 of 2011 registered at P.S. Sultanwind where he was initially convicted for one year.

Counsel for the petitioner contends that the allegations against the petitioner are with regard to having caused injuries with a *datar* on both the legs of the complainant. These injuries are on the non-vital part of the body. She contends that the offence under Section 379-B has been added because of the allegation that a gold chain was snatched and an amount of ₹5500/- and a samsung mobile was also taken away from him. Her submission is that the petitioner was arrested on 11.03.2020 where the challan has also been presented on 04.04.2020 and with the prevailing pandemic, the trial is not likely to conclude in near future. There is no

other case against the petitioner. Prayer has, thus, been made for release of the petitioner on bail.

On the other hand, counsel for the State has vehemently contended that a sharp edged weapon has been used by the petitioner for causing injuries on both the legs of the complainant. The intention of the petitioner is very clear. Not only that, snatching has also taken place, therefore, the petitioner be not granted the concession of bail. However, he could not dispute the fact with regard to the custody period of the petitioner and that he stands acquitted in the other FIR, which was registered against him and as of now, there is no other case against the petitioner except for the present one.

Keeping in view the above facts and circumstances of the present case and the injuries being on non-vital part of the body and the petitioner is in custody since 11.03.2020 and there is no other case against the petitioner, the present application is allowed especially in the light of the prevailing pandemic, the trial is not likely to proceed further in the near future.

Petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sultanwind, District Amritsar.

Any observation made herein above shall have no bearing on the merits of the case during trial in any manner.

August 06, 2020
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No