

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM M-17689 of 2020 (O&M)

Date of Decision: July 23, 2020

Soni @ Sunil Kumar		Petitioner
	Versus	
State of Punjab		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Amritpal Singh Gill, Advocate
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Soni @ Sunil Kumar has moved this first regular bail application under Section 439 of Cr.P.C. in FIR No. 46 dated 10.05.2020 under Sections 307, 323, 324, 148 and 149 registered at Police Station Daba, District Ludhiana.

The precise allegations are that the petitioner armed with a blunt and sharp edged weapons on 07.05.2020 afternoon assaulted the son of the complainant, namely, Naveen Bajaj. The petitioner is attributed two injuries one on the backside of the head and the other on the left ear by blunt weapons. All the injuries have been opined to be simple in nature.

Learned counsel for the petitioner *inter alia* contends that there are only simple injuries are attributed to the petitioner, who is in custody since 02 months and 10 days and that the trial is not likely to be completed in near future.

Learned State counsel Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab though has conceded to the factual position but has strongly opposed the grant of bail that being principal accused, two injuries are attributed by means of deadly weapons and therefore disentitles him to any relief.

Be so as it may, admittedly, only simple injuries are attributed to the petitioner. The injured has since been discharged and the petitioner has undergone more than 2 months and 10 days. In the light of the present Pandemic COVID 19 situation and the fact that the investigation is not likely to completed in near future and no useful purpose would be served by keeping the petitioner behind the bars, this Court deems it a fit case for allowing the bail. Accordingly, the

petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

July 23, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No