

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-18699-2020

Date of decision: 31.07.2020

Gagandeep Singh @ Shagna

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Vinod K. Kaushal, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Gagandeep Singh @ Shagna, stated to be aged 20 years, has filed the present petition under Section 439 Cr.P.C., *inter alia* with a prayer for grant of regular bail in case FIR No.25 dated 05.04.2020, registered under Sections 379-B, 188 IPC at Police Station Mattewal, Amritsar Rural, District Amritsar.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that allegedly victim-Gurmeet Singh had sustained abrasions. He further submits that petitioner is in custody since 05.04.2020 and he is no more required by the Police for any investigation purpose. He further urges

that challan has already been presented in the Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail. He further submits that as per instructions from police official, petitioner has been arrayed as accused for the commission of offence punishable under Sections 379-B and 411 IPC.

I have heard learned counsel for the parties.

At this stage, without commenting anything on merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 05.04.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in the Court and since consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-Gagandeep Singh @ Shagna, is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Chief Judicial Magistrate/Trial Court/Duty Magistrate, concerned, as the case may be. However, petitioner has been given liberty to defer the furnishing of surety bond due to COVID-19 but he is directed to

furnish the surety bond to the satisfaction of Chief Judicial Magistrate/Trial Court/Duty Magistrate, concerned, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(GIRISH AGNIHOTRI)
JUDGE

31.07.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No