

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.18835 of 2020 (O&M)
(Heard through Video Conferencing)
Date of Decision: 14.08.2020

Harinder Singh

..... Petitioner

V/s.

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Jasraj Singh, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 52 dated 10.05.2020, registered at Police Station Chabbewal, District Hoshiarpur, under sections 323, 324, 506, 148 and 149 IPC, wherein section 326 IPC was added later on.

Learned counsel for the petitioner would contend that this is a case of a cross-version where the petitioner himself has suffered simple injuries at the hands of the complainant. It is contended that initially he had been allowed bail by an order dated 23.05.2020 by the Court below as initially the FIR had been registered only under sections 323, 324, 506, 148 and 149 IPC, which were bailable offences and he had been directed to join investigation. However, before he could join investigations, Section 326 IPC had been added and he was arrested. It is further contended that the matter has been now investigated and the challan has been presented on 06.08.2020 and, therefore, custodial interrogation of the petitioner would not be required.

Learned counsel appearing on behalf of respondent-State would oppose the grant of regular bail by contending that the injury attributed to the petitioner on the person of complainant is held to be grievous in nature.

Since the investigation is complete and the challan has already been presented and the trial is likely to take some time to conclude as due to COVID-19 situation, Courts are not working at their full strength, therefore, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, any observation made herein shall not be construed to be an expression on merits of the case.

14th August, 2020

Sonia Puri

**(JAISHREE THAKUR)
JUDGE**

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