

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-19289 of 2020

Date of Decision: 16.09.2020

Manjit Singh @ Hazar

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Malkiat Singh Hundal, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.04 dated 03.01.2020 under Sections 307/506/148/149 IPC and Sections 25/27 Arms Act registered at Police Station Sadar, District Amritsar.

Learned counsel for the petitioner has argued that there is no allegation against the petitioner of fire shot which caused injury to the complainant. The only allegation against the petitioner is that on the relevant date, the petitioner was present at the scene of occurrence along with other co-accused. The petitioner is in custody since 04.04.2020 and challan in the case has already been presented on 30.04.2020. He submits

that as trial in the case is not likely to be concluded in near future, specially in the light of Covid-19 pandemic, the petitioner be released on bail.

Learned State counsel, on instructions from ASI Jaspal Singh, does not dispute the custody of the petitioner. However, she submits that the other accused have given fire shot to Attinderpal Singh @ Honey on his head with an intention to kill him and the petitioner was also present along with these accused.

I have heard learned counsel for the parties.

Admittedly, there is no allegation against the petitioner that he has given any fire shot injury to Attinderpal Singh @ Honey, though his presence is recorded at the scene of occurrence. There is no other case pending against the petitioner except FIR No.40 dated 21.03.2020 under Section 21 NDPS Act. Considering the fact that petitioner is in custody since 04.04.2020 his culpability is yet to be decided during trial and trial in the case will take sufficient long time, because of Covid 19 pandemic, this Court deems it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

September 16, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No