

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19821-2020 (O&M)

Date of Decision: 07.08.2020

Gurpreet Singh

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. PS Dhaliwal, Advocate for the petitioner

Mr. Rana Harjasdeep, DAG Punjab

GIRISH AGNIHOTRI, J. (Oral)

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

The petitioner Gurpreet Singh who is stated to be aged 41 years has filed the present petition *inter alia* with a prayer for grant of regular bail. He has been allegedly involved in case FIR No.124 dated 30.09.2017 under Sections 302/201/120-B IPC registered at PS Barnala.

Learned counsel submits that the petitioner was not named in the FIR. He further submits that on 03.10.2017 one Shinder Pal Kaur made a statement that when she was going back to her house then Gurpreet Singh s/o Jagroop Singh and Hardeep Singh @ Baggi s/o Mander Singh r/o Bhaini Jassa were going on their motor cycle. She further stated that she saw that in between both i.e. Gurpreet Singh and Hardeep Singh, the deceased Gursewak Singh was sitting on the motor cycle.

Learned State counsel however, submits that after the examination of the PWs the case is now fixed for defence witnesses.

Faced with this, learned counsel for the petitioner submits that

Virpal Kaur i.e. wife of the deceased is also behind the bars. On the asking,

it is learnt that the children of the deceased are staying with the complainant. He however, submits that the present petitioner is a middle aged man who has already undergone approximately 3 years of custody as he was arrested on 11.10.2017. Counsel then submits that due to COVID situation retention of the petitioner in jail is dangerous to his life and otherwise also the trial is likely to take some time.

Accordingly, this Court deems it appropriate to release the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

In view of the peculiar circumstances as noticed above, in addition to bail bonds/additional surety which the trial court may further require the petitioner to furnish as it deems appropriate, the petitioner is directed to furnish FDR of Rs.5 lakh in his own name valid for 5 years and give an undertaking which shall be duly sent to the Bank that the said FDR shall not be encashed by anyone. The said FDR shall be deposited within one month from the date of release of the petitioner before the Duty Magistrate/trial Court which shall await further orders of this Court.

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

Disposed of.

07.08.2020

vishal shonkar

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No