

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-19567-2020 (O&M)

Date of decision: 25.08.2020

Sanovar

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Samir Rathaur, Advocate for
Mr. Sumeet Goel, Advocate
for the petitioner.

Mr. P.S. Walia, Assistant AG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

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

CRM-20191-2020

The present application has been filed under section 482 Cr.P.C. inter alia praying for amendment/correction in the head note and prayer clause of the main petition.

For the reasons mentioned in the application, the same is allowed.

Section 308 IPC be added in the head note as well as prayer clause of the main petition.

Registry is directed to do the needful.

Main case

Petitioner-Sanovar, stated to be aged 20 years, has filed the

present petition, *inter alia* with a prayer for grant of regular bail in case FIR No.160 dated 23.04.2020, registered under Sections 308, 323, 325, 341, 506, 148 & 149 of Indian Penal Code, at Police Station Sohana, District SAS Nagar, Mohali.

Learned counsel for the petitioner at the outset, submits that from reading of the FIR, it is evident that the allegations qua the petitioner, are only to the extent that on the alleged date of incident i.e. 20.04.2020, he was sitting with Nasib Singh. He then submits that said Nasib Singh has been granted interim bail vide order dated 10.07.2020, passed by the Additional Sessions Judge, SAS Nagar, Mohali.

Learned State counsel, on the other hand, submits that after the alleged incident dated 20.04.2020, FIR No. 160 dated 23.04.2020, was registered. He further submits that on 01.05.2020, Akbar Ali-injured, in his supplementary statement, had specifically named the petitioner for allegedly inflicting injuries (out of two injuries, he suffered one injury on his head).

Faced with the situation, learned counsel for the petitioner, submits that all the other co-accused except Sahil, have been granted anticipatory bail vide order dated 20.07.2020, passed by the Additional Sessions Judge, SAS Nagar, Mohali. Counsel also submits that as per the FIR, the petitioner was allegedly not involved in any fight except that he was sitting with Nasib Singh. Learned counsel for the petitioner further submits that in view of the COVID situation, trial is likely to take some time and detention of the petitioner in jail would be dangerous to his life.

In view of the peculiar facts noticed above and the present

situation due to COVID-19, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

In addition to the above said bail/surety bonds, the petitioner is directed to deposit Rs.50,000/- to the CJM/DM concerned, within one month from the date of his release and the said amount will be disbursed to the injured-Akbar Ali.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

25.08.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No