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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.20020 of 2020
Date of Decision: 19.08.2020**

RAJWANT SINGH @ RAJA

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. M.S. Saini, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.15 dated 08.02.2017, registered under Section 302/452/324/326 IPC at Police Station Model Town, Hoshiarpur.

The FIR was registered at the instance of Harwinder Rana son of Baljit Singh, who is brother of the deceased. As per allegations, the complainant is running a tea vendor shop outside the bus stand, Hoshiarpur. Elder brother of the

complainant namely Vinod Rana was also running a confectionary shop near the shop of complainant. On 07.02.2017 at 8.30/9.00 p.m., the complainant was present at his shop when Paramjit @ Pumma armed with Khanda along with unidentified persons armed with kirpan, datar and khandas came there. Paramjit @ Pumma inflicted a khanda blow on the head of the complainant. The complainant fell down. Paramjit @ Pumma gave second blow upon the complainant which hit on the middle left leg. In the meanwhile, brother of the complainant namely Vinod Rana came forward in order to save the complainant. Paramjit @ Pumma gave khanda blow upon the brother of the complainant on his head. The unidentified persons also caused injuries with sharp edged weapons upon the complainant on the left leg ankle, left arm and other parts of the body. On raising alarm, Paramjit @ Pumma along with his companions left the place along with their weapons. Vinod Rana ultimately succumbed to injuries. In the MLR of Vinod Rana, the Doctor found two injuries with sharp edged weapons.

Learned counsel for the petitioner submitted that the complainant gave a supplementary statement on 08.02.2017. Petitioner is not named in the FIR. He has been named in the supplementary statement, but the complainant did not support the prosecution case and was declared hostile. According to the

petitioner, cross-examination of the complainant did not yield any incriminating information against the petitioner. Narinder Kumar PW-2 has also not supported the case of the prosecution. Other eyewitnesses namely Ranjit Singh, Neeraj and Rakesh Kumar were given up on the basis of statement made by the Public Prosecutor before the trial Court as they were not supporting the case of the prosecution. Petitioner is undergoing sentence in some other case.

Learned State counsel on instructions from SI Dilbagh Singh admitted the aforesaid factual position of the case. He stated that out of 25 prosecution witnesses, 12 have been examined. Now due to the situation arising out of COVID-19 pandemic, the trial of the case has come to a halt. Co-accused namely Shiv Kumar @ Sunny and Jatinder Pal @ Kukku have already been granted regular bail in CRM-M Nos.55899 of 2019 and 21424 of 2019 vide orders dated 20.03.2019 and 16.05.2019 respectively.

Taking into consideration of the aforesaid facts and circumstances and in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is

ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

August 19, 2020	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No