

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-20318-2020

Date of decision: 10.08.2020

Gurmeet Singh @ Baghi

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Karandeep S. Sidhu, Advocate
for the petitioner.

Mr. H.S. Sitta, Asst. AG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Gurmeet Singh @ Baghi, stated to be aged 29 years, has filed the present petition under Section 439 Cr.P.C., *inter alia* with a prayer for grant of regular bail in case FIR No.144 dated 20.08.2019, registered under Sections 302, 328 & 309 of Indian Penal Code (Sections 302, 328 & 309 IPC deleted later on vide Rapat No.16 dated 21.08.2019 and added Section 306 IPC), at Police Station City Kotkapura.

The petitioner was arrested on 30.08.2019.

Learned counsel at the outset submits that vide order dated 14.07.2020, passed in CRM-M-16735-2020, co-accused/Jashandeep Kaur has been granted bail by this Court. In that case it was observed as under:-

“Learned counsel based upon the pleadings in the petition submits that the present case has been registered on the complaint of Gurdeep Singh brother of deceased Charanjit Singh. At one stage, the police deleted Sections 302/328/309 vide rapat No.16 dated 21.08.2019. The petitioner was arrested on 01.09.2019. It is further the case

of the petitioner that unfortunately Charanjit Singh died on 21.08.2019 and thereafter Section 306 IPC was added.”

Notice of motion.

On asking of the Court, Mr. H.S. Sitta, Asst. AG, Punjab, accepts notice on behalf of the State.

On instructions from ASI Gurdeep Singh, learned State counsel submits that challan in this case has been presented on 27.11.2019 and charges have been framed on 18.02.2020. There are total of 17 witnesses and out of them, none has been examined till date.

Faced with the situation, learned counsel for the petitioner submits that due to the present COVID-19 situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

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.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

10.08.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No