

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 32097 of 2020

Date of decision : October 16, 2020

Gurwinder Kumar @ Gindi @ Ginda

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Balram Singh, Advocate
for the petitioner.

Mr. H. S. Sitta, AAG., Punjab.

Manjari Nehru Kaul, J (oral).

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No.01 dated 5.1.2019 under Section 306 IPC (which was changed to Section 305 IPC in the challan later on) registered at Police Station Sadar Nawanshahar, District SBS Nagar.

Learned counsel for the petitioner inter alia contends that on the basis of vague allegations the petitioner has been implicated in the FIR in question. He further contends that even on reading of the FIR the offences to attract the mischief of Sections 107 & 306 IPC are not made out. He has further contended that the petitioner has been in custody since 30.8.2019 and only charges have been framed till date.

Per contra, learned State counsel, while opposing the prayer of regular bail to the petitioner on instructions from SI Heera Lal has submitted that there are serious allegations levelled against him in the FIR, however, he has admitted that only charges have been framed in the case in hand and the trial is unlikely to conclude in the near future.

Heard.

Keeping in view the fact that the petitioner has been in custody since 30.8.2019 and due to the outbreak of the pandemic COVID-19 the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

October 16, 2020
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No