

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

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**CRM-M-20741-2020
Date of decision: 11.08.2020**

Jasvir Singh @ Shera

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. H.S. Multani, AAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

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

The petitioner-Jasvir Singh @ Shera has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.230 dated 15.12.2019 registered under Sections 323, 324, 326, 148 and 149 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Kotwali Kapurthala, District Kapurthala to which section 326 of the IPC was added lateron.

The petitioner, who is in custody since 12.06.2020, has filed the present petition for grant of regular bail.

Petition has been opposed by learned State Counsel. However, no reply has been filed by respondent-State.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. The complainant is a quack and complainant and his brother are selling spurious medicines in the village. The petitioner and his co-accused and other villagers had stopped him from operating in their village due to which, the complainant lodged the present FIR on false allegations. There is undue and unexplained delay of 6 days in lodging of the FIR. The grievous

injury attributed to the petitioner is on the non-vital part of the body i.e. finger of right hand. The said injury has been inflicted with friendly hand in order to make the offences non-bailable. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the in view of gravity of offences, the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner and the fact that the trial is likely to take long time due to restrictions imposed to prevent the spread of infection of Covid-19 but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of requisite bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11.08.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No