

208 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH
(through video conferencing)

CRM-M-21711-2020
Decided on : 13.08.2020

Mukesh Kumar @ Rock

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Zubin Chhura, Advocate
 for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.24 dated 27.02.2020 registered under sections 307, 326, 451, 427, 120-B, 148, 149 IPC, 1860 at Police Station Division No.7, Jalandhar District Jalandhar (Annexure P-1).

Learned counsel for the petitioner inter alia contends that the petitioner, who has been in custody since 10.04.2020, has been falsely implicated in the FIR in question. A perusal of the FIR reveals that it was registered against 8-10 unknown persons, who had allegedly entered the shop of the complainant with muffled faces. On entering, they allegedly inflicted kirpan blows on the complainant and thereafter fled away from the spot. The complainant in the FIR had only raised suspicion qua the involvement of one Vijay Kumar Sondhi with whom he had some previous dispute and the said Vijay Kumar Sondhi had already been extended the concession of regular bail. He further contends that even similarly situated other co-accused have since been extended the concession of regular bail by

this Court vide orders dated 18.06.2020 and 22.07.2020.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He on instructions from ASI Avtar Singh has conceded that similarly situated co-accused have already been granted the concession of regular bail by this Court vide orders dated 18.06.2020 and 22.07.2020. He further submits that till date only challan has been presented and charges are likely to be framed in the near future.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 10.04.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

13.08.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No