IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

220 **CRM-M-21906-2020**
DATE OF DECISION: 14.08.2020

RAJ KUMAR … Petitioner (s)

Versus

STATE OF PUNJAB ... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Puja Chopra, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG,Punjab.

Mr. Parshant Bansal, Advocate for the complainant.

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ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.115 dated 12.09.2017, under Sections 302, 323, 148 and 149 IPC, registered at Police Station Julkan, Patiala.

Learned counsel for the petitioner contends that the petitioner has been attributed an injury with the iron rod on the head of the complainant Harmesh Kaur. She further states that the petitioner has not been attributed any specific injury to the deceased and the allegations in that respect are general in nature. She also states that the deceased was suffering from heart ailment. She has referred to the statement of the doctor, who was examined as PW-1, that the petitioner was taking medication and it is possible that he could have died due to heart disease. The petitioner is in custody for almost 3 years since his arrest on 14.09.2017. She also contends that the similarly situated co-accused Raj Rani has been granted regular bail by the coordinate Bench of

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this Court in CRM-M-20767 of 2020 on 30.07.2020. She also contends that the application under Section 319 Cr.P.C. for summoning an additional accused has been allowed by the trial Court and, therefore, the trial has to virtually start *de novo*.

Learned counsel for the complainant, however, contends that the petitioner was the main accused in the case and he is not entitled to the concession of regular bail.

Learned State counsel upon instructions from ASI Lakhbir Singh contends that 4 out of 25 prosecution witnesses have been examined.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for about 3 years, the co-accused Raj Rani has been granted the concession of regular bail, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

14.08.2020.
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Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No

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