

In virtual Court

CRM-M-21939-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21939-2020 (O&M)
Date of decision: 11.08.2020

Nishan Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. G.K. Mann, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 2nd petition for grant of regular bail in FIR No.0100 dated 05.06.2019 under Sections 307, 323, 324, 452, 506, 148, 149 IPC, registered at Police Station Majitha, District Amritsar Rural; earlier one was dismissed as withdrawn on 04.03.2020.

Learned counsel for the petitioner submits that new ground for filing this 2nd petition is that the petitioner is in custody for the last 01 year, 01 month and 22 days and there are total 22 prosecution witnesses, however, no one is examined so far in view of COVID-19 situation. It is further submitted that as per allegations in the FIR, a sudden fight took place, in which the complainant sustained injuries and the petitioner is ready to compensate victim Kirpal Singh son of Sawinder Singh by handing over him a demand draft of

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Rs.50,000/- towards his medical expenses, without prejudice to his right of defence.

Learned State counsel has, however, submits that the injury, which was declared dangerous to life, sustained by Kirpal Singh, is attributed to the petitioner, as per report of Medical Officer, Badri Nath Hospital, Amritsar. It is further submitted that some of the co-accused have already been granted the concession of regular bail, as they were attributed injuries on non-vital parts and one of the co-accused has been granted the concession of anticipatory bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last more than 01 year and has volunteered to pay Rs.50,000/- towards medical expenses to victim Kirpal Singh, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

This will, however, be subject to the condition that the petitioner will submit a demand draft of Rs.50,000/- favouring victim Kirpal Singh son of Sawinder Singh before the trial Court, which will be handed over to the victim, without prejudice to right of the complainant as well as right of defence of the petitioner.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

11.08.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No