

**209IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-21997-2020

Date of decision : 10.09.2020

AMRIK LAL @ AMRIK SINGH @ MEEKA NAIPetitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Kapil Khanna, Advocate for the petitioner.
Mr. Ramandeep Sandhu, Senior DAG Punjab.

ALKA SARIN, J. (ORAL)

Heard through Video Conferencing.

This is the first petition under Section 439 of the Code of Criminal Procedure, 1973 praying for regular bail to the Petitioner in FIR No.52 dated 23.04.2018 under section 307, 323, 326, 325, 341, 506, 148 and 149 of Indian Penal Code, 1860 registered at Police Station Goraya, Jalandhar, Punjab.

It has been contended by learned counsel for the petitioner that the injury attributed to the petitioner is simple in nature. He has further contended that the petitioner was declared Proclaimed Offender on 05.11.2018 and was taken into custody on 10.12.2019. He further contends that he was declared proclaimed offender as he was unaware of the instant FIR. The learned counsel for the petitioner would further contend that the petitioner has been falsely implicated in the case and other co-accused have already been acquitted by the Trial Court. The counsel for the petitioner relies on the order passed by this Court in CRM-M-18259-2020 dated 29.07.2020 of a co-accused to whom also were attributed injuries simple in nature.

Learned State counsel has filed the status report. A copy of the same has been printed and retained on record. Learned State counsel has stated that the offences against the petitioner are serious in nature, however, he is not in a position to deny that the injury attributed to the petitioner is simple in nature and that a similarly situated co-accused has been granted bail by this Court vide order dated 29.07.2020 in CRM-M-18259-2020.

I have heard learned counsel for the parties.

The petitioner has been in custody since 10.12.2019. The investigation is complete and the challan has already been presented. No useful purpose will be served by keeping the petitioner behind the bars especially when the trial is unlikely to conclude in the near future in view of the current scenario in the wake of the outbreak of the COVID-19 pandemic.

In view of the above and without commenting on the merits of the case, I deem it to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

However, the prosecution will always be at liberty to get the bail cancelled in case the petitioner is found to be misusing the concession of bail in any manner.

Nothing observed herein shall be taken as an expression of opinion on the merits of the case. The present petition is, accordingly, disposed off.

September 10, 2020

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(ALKA SARIN)

JUDGE

Whether speaking/non-speaking: Yes/No

Whether reportable: Yes/No