

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

211

CRM-M-23066-2020

Date of decision: 04.09.2020

Sukhdev Singh**....Petitioner****versus****State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Ashwani Chaudhary, Advocate,
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

Ms. Savita Sisodia, Advocate for the complainant.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Sukhdev Singh, stated to be aged 56 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.148 dated 12.05.2020 under Sections 148, 149, 188, 269, 270, 307, 323, 440 and 506 of IPC, registered at Police Station Chandimandir, District Panchkula.

Learned counsel for the petitioner submits that the petitioner was arrested on 19.05.2020. He then submits that it is a case of version and cross version. Learned counsel further submits that on the complaint of the petitioner himself another FIR i.e. FIR No.149 dated 12.05.2020 was registered. Petitioner in the present FIR had also suffered injuries and remained hospitalised from 11.05.2020 to 19.05.2020. He, however, submits that the

other co-accused, namely, Jagdish Chand, Ram Kamal, Vikramjit and Ram Pal, have been granted bail by this Court vide order dated 17.07.2020 passed in CRM-M-17181-2020 and order dated 21.08.2020 passed in CRM-M-20859-2020, respectively.

Learned State counsel, on instructions from ASI Rajbir Singh, submits that there are total of 15 witnesses but none has been examined till date. Next date before the trial Court is 15.09.2020. Learned State counsel also submits that in pursuance to the directions of this Court dated 26.08.2020, he has forwarded the copy of Medical Report of injured-Jagbir Singh on the video conferencing group.

Learned counsel for the complainant submits that the injured namely, Jagbir Singh was initially admitted in PGI. She also submits that the injured has suffered serious injuries on his hand and there is no moment of his hand. She further submits that he is once again admitted in PGI on 01.09.2020 to undergo second surgery. Learned counsel on merits submits that the petitioner does not deserve the concession of bail.

Faced with the situation, learned counsel for the petitioner submits that the petitioner is himself an aged person, who is presently 56 years of age. He submits that the petitioner himself had suffered many injuries, for which, he himself remained hospitalised for 8 days. He further submits that he has instructions from the petitioner to submit that without prejudice his defence in the trial, petitioner is ready to deposit Rs.50,000/- with the Trial Court/Duty Magistrate concerned, which may be disbursed to the injured, to show his bona fides. Learned counsel, however, submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the

petitioner in jail would be dangerous to his life.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

In addition to the bail/surety bonds, the petitioner would deposit Rs.50,000/- with the Trial Court/Duty Magistrate concerned, as offered by learned counsel for the petitioner. The amount so deposited by the petitioner be handed over to the injured towards medical expenses. The same shall be without prejudice to defence of the petitioner before the trial Court.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

04.09.2020

jyoti3

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No