

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

CRM-M-22828 of 2020

Date of Decision: 09.09.2020

Balbir Singh @ Balvir Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Tejinder Pal Singh Bawa, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed seeking regular bail in FIR No. 0010, dated 02.02.2019, under Sections 307 and 324 of the Indian Penal Code, 1860 registered at Police Station Amloh, District Fatehgarh Sahib.

Learned counsel for the petitioner has *inter-alia* relied upon the fact that the trial Court had dismissed the regular bail of the petitioner on the ground that Investigating Officer (I.O.) was yet to be examined. Learned State counsel, on 19th August, 2020, requested for adjournment beyond 4th September, 2020 to enable the examination of IO.

Today, learned State counsel on instructions from ASI Ved Parkash submits that the IO could not be examined as he is tested positive for COVID-19 and an interim bail has already been granted to the petitioner.

In view of the said development the present petition is disposed of with a direction that petitioner shall make prayer for confirmation of interim bail before trial Court after examination of I.O. or expiry of interim bail (whichever is earlier), the same shall be decided afresh considering later developments, without being influenced by its earlier order dated 3rd July, 2019.

[AVNEESH JHINGAN]
JUDGE

9th September, 2020
sham

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |