

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-22907-2020

Date of decision: 27.08.2020

Anil Kumar

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. L.S. Lakhanpal, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

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-Anil Kumar, stated to be aged 25 years, has filed the present petition under Section 439 Cr.P.C. *inter alia* with a prayer for grant of regular bail in case FIR No.279 dated 25.09.2018, registered under Sections 302/120-B of Indian Penal Code, Section 25 of Arms Act, 1859 and Section 3 of SC/ST Act, 1989, at Police Station Phillaur, District Jalandhar.

At the outset, learned counsel for the petitioner makes reference to an order dated 17.07.2020, passed by this Court in CRM-M-6846-2020, vide which, co-accused/Dharminder Singh @ Bhinda has been granted regular bail and also the order dated 11.08.2020, passed in CRM-M-20882-

2020, whereby, co-accused/Barjinderjit Singh has been granted regular bail. Learned counsel further submits that all other co-accused have been granted bail except two persons namely Sarabjit Singh @ Barohga and Pardeep Singh Ghosal.

On instructions from SI Jatinder Kumar, learned State counsel submits that there are total of 28 witnesses and out of them, three have been examined till date. He further submits that there was petitioner's own disclosure statement and the role attributed is that he caused injury to left leg of the deceased.

Faced with the situation, learned counsel for the petitioner submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19, this Court deems it appropriate to direct release of 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.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

27.08.2020

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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No