

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

(through video conferencing)

CRM-M-23853-2020
Decided on : 28.08.2020

Lovepreet singh @ Kallu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. A.S.Rai, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.127 dated 27.07.2017 (Annexure P-1) registered under section 302, 34 IPC at Police Station Payal Distt Ludhiana.

Learned counsel for the petitioner inter alia contends that a perusal of the FIR in question reveals that only role attributed to the petitioner is that he along with four other accused namely Amarnath @ Mani, Kulwinder Kaur, Krishna and Sarabjit Singh waylaid the deceased i.e. the complainant's husband and gave him beatings. Thereafter, all the accused took the deceased outside the village where he was assaulted again and given some poisonous substance mixed in liquor, which eventually led to his death. Learned counsel further contends that the petitioner has been behind bars since 28.07.2017 and till date only five prosecution witnesses have been examined. It has also been contended that similarly situated co-accused have since been granted the concession of bail by this Court vide orders

dated 06.11.2019, 06.02.2020, 19.03.2020 and 07.08.2020.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. She on instructions from SI Manpreet Singh has conceded that similarly situated co-accused have since been granted the concession of regular bail by this Court and the trial has not been able to make any headway due to the outbreak of Covid-19.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 28.07.2018, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

28.08.2020

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No