

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

**CRM-M-22911 of 2019 (O&M)
DATE OF DECISION : 21.08.2020**

Sukhjit Singh @ Gopi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Satyaveer Singh, Advocate,
for the petitioner.

Mr. Gaurav Garg, Sr. DAG Punjab.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 163 dated 30.09.2018, registered under Sections 307, 323, 324, 325, 452, 427, 148 read with Section 149 IPC, Police Station Sadar Jalandhar.

2. Per FIR, on 29.09.2018, the petitioner along with his accomplice Babu and one unidentified person inflicted injuries to the complainant Mohammad Safiq and damaged his shop. It is further the case of the complainant that Rs.45000/- lying in his shop had gone missing after the incident. Kuldeep and Sandeep are stated to have reached the place of occurrence of hearing the noise. Supplementary statement of the complainant was recorded, wherein he indicted few other persons as assailants.

3. Learned counsel submits that the petitioner is in custody since 01.12.2018. Co-accused have already been granted bail. He further submits that though prosecution evidence had started and two eye-witnesses were examined, who had not supported the case of prosecution, but now trial is held up due to

Covid-19. According to him, especially in the pandemic scenario, there is no likelihood of trial being concluded in time.

4. On the other hand, learned State counsel opposes the bail plea. He submits that the petitioner is the main accused, who has been attributed injury under Section 307 IPC. He, however, admits that the petitioner is in custody since 01.12.2018 and that there is not much progress in the trial, apart from examination of two eye-witnesses, who have not supported the prosecution case. He submits that complainant is yet to be examined.

5. The petitioner is in custody almost for the past twenty months. There is no headway in the trial and is not likely to commence or conclude anytime soon due to covid-19 pandemic. Courts are currently working with restrictions and taking up only urgent matters. Considering the overall scenario, without commenting on the merits of the case, the petition is allowed. Petitioner shall be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/ Duty Magistrate, as the case may be.

August 21th 2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No