

CRM-M-23979-2020

Date of decision: 24.08.2020

Gurdeep Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.**FATEH DEEP SINGH, J.(ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Notice of motion to the official respondent-State.

Mr. Jagmohan Ghuman, DAG, Punjab puts in appearance and accepts notice on behalf of the official respondent-State. Copy of the paper book be supplied.

The accused/petitioner-Gurdeep Singh has sought his first anticipatory bail application in a case bearing FIR No.0162 dated 16.06.2020 under Sections 324, 323, 148 and 149 of the Indian Penal Code (Section 326 IPC added later on) registered at Police Station Sardulgarh, District Mansa.

The allegations in brief have come about from complainant-Binder Singh. It is alleged that on the day of occurrence, while the petitioner and his persons, were ploughing the fields, the

accused comprising of petitioner-Gurdeep Singh armed with *dang*,

non-applicants/co-accused-Gurjant Singh armed with *kasia*, Baldev Singh armed with *kasia*, Tej Singh armed with *kirpan*, Govind Singh armed with iron pipe, Balkar Singh @ Sukhdeep Singh armed with *dang* and Narinder Singh armed with *dang*, came and attacked the complainant. The petitioner is attributed a single injury by means of *dang* at the back of the complainant which is opined to be simple in nature.

Learned counsel for the petitioner has argued that petitioner is attributed simple injury by means of *dang* on non-vital part of the body and non-applicant-Balkar Singh @ Sukhdeep Singh has allowed bail by this Court vide order dated 14.08.2020 (Annexure P-6).

The learned State counsel though does not displace the facts but has opposed the grant of bail on the ground of seriousness of the allegations and submits that custodial interrogation of the petitioner is very much essential.

Admittedly, the petitioner has been attributed a simple injury by means of *dang* on non-vital part of the body. Similarly placed co-accused has been allowed bail by this Court and thus, on the principle of parity, the present petition deserves to be allowed.

Keeping in view the situation of COVID-19 pandemic, this Court deems it imperative to allow the present petition. Accordingly, the petitioner is directed to appear before the investigating officer/Magistrate within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall

be released on bail to the satisfaction of the arresting/investigating

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officer till submission of report under Section 173 Cr.P.C. (challan).

The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The present petition stands disposed off accordingly.

24.08.2020

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No