

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2020/10/28 19:17
I attest to the accuracy and
authenticity of this document

CRM-M-23980-2020

Date of decision : 28.10.2020

Arjun Bahadur

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. S.S. Grewal, Advocate
for petitioner.

Mr. Balbir Singh Sewak, Additional A.G. Punjab.

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HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

This is a petition filed under Section 439 Cr.P.C. for grant of bail in case FIR No. 131, dated 27.7.2019, registered under Sections 307, 382 IPC at Police Station Dugri, District Ludhiana.

FIR was registered on the statement of one Munish Kumar wherein he stated that on 26.7.2019 at about 9.00 pm after leaving his employer Sukhvir Singh at his house when he tried to start his Activa, it did not start. Then he went to Flower Chowk and started waiting for a lift to his house. In the meanwhile, a young boy driving motorcycle came near him. The complainant informed him that his Activa is not working. The young boy offered him a lift and asked him to sit on his motorcycle by stating that he knows a mechanic and he will get his Activa repaired from him. The complainant accompanied him. The young boy took his motorcycle to abandoned place and pointed knife towards complainant. He threatened the complainant to hand over whatever he possessed. When complainant resisted, petitioner inflicted 4 knife blows on waist and back of complainant with an intention to kill him. The complainant fell down. The young boy tried to snatch his mobile phone but on his raising alarm, the young person after throwing mobile phone of complainant fled away on the motorcycle.

Learned counsel for petitioner has argued that petitioner has not been named in FIR. He has been falsely implicated in the case. He was arrested in another case. On the basis of alleged disclosure statement, 11 cases have been

foisted on petitioner. The petitioner is in custody for last 1 year 1 month. The trial of case has not made any headway on account of COVID 2019.

On the other hand, learned State counsel states that petitioner does not deserve concession of bail. He inflicted knife blows on complainant. The injuries have been opined to be dangerous to life.

Considering that petitioner is in custody for last 1 year 1 month and that trial of case has not made any headway on account of COVID 2019, no useful purpose will be served by detaining petitioner behind bars till the conclusion of trial. Accordingly, petition is allowed. Petitioner Arjun Bahadur is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

28.10.2020

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No