

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

CRM No.M-25098 of 2020 (O&M)
Date of Decision: September 02, 2020

Bachitar Singh Nihang

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Karambir Singh Kahlon, Advocate,
for the petitioner.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of the pandemic COVID-19 situation

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.119 dated 27.06.2020 under Sections 326, 325, 324, 323, 148 and 149 IPC, registered at Police Station Shri Hargobindpur, Batala, District Gurdaspur.

Notice of motion.

Mr.Sukhbeer Singh, AAG, Punjab, accepts notice on behalf of the respondent-State and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The aforesaid case was registered at the instance of

complainant Paramjit Kaur wife of Karam Singh, resident of village Sohian, P.S. Shri Hargobindpur. As per version of the complainant, they had built a trough (chubacha) outside the house in the street for drinking water by the cattle. On 22.06.2020 at about 6.30-7.00 O'clock, near their trough, besides the petitioner, Bachitar Singh and his companions while armed with weapons had come there. Bachitar Singh raised *lalkara* to teach a lesson to Paramjit Kaur for constructing the trough in the street. Thereupon, various other accused had inflicted injuries on the person of the complainant. Even on hearing alarm raised by the complainant, her son Satnam Singh was attracted, who came forward to rescue his mother, whereupon, various accused had inflicted injuries upon Satnam Singh also. While Satnam Singh was lying on the ground, Bachitar Singh had given a sword blow, which struck on his right leg. Copy of the MLR of Satnam Singh has been placed on record, which reveals about Satnam Singh to have sustained four injuries, which were kept under observation for X-ray examination. After the X-ray examination, as per medical report, which is placed on record, injury No.4, which was attributed to the petitioner, was declared as grievous in nature.

The petitioner is stated to be in custody since the date of registration of the FIR i.e. 27.06.2020. Though challan is stated to have been presented in the present case but, charge has not been framed yet. As such, the conclusion of the trial is likely to take time, more so, keeping in view the pandemic situation. The petitioner, as such, cannot be detained in custody indefinitely.

Thus, without prejudice to the rights of the parties to be adjudicated during the course of the trial, the present petition, as such, is

allowed. The petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate.

	(ARCHANA PURI)
	JUDGE
September 02, 2020	
Vgulati	
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No