

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-25027-2020 (O&M)

Date of Decision : 31.08.2020

**Amandeep Singh .....Petitioners**

**Versus**

**State of Punjab and another ..... Respondents**

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

...  
**(through video conferencing)**

Present: Mr. Vivek Salathia, Advocate  
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Vikas Gupta, Advocate  
for the complainant.

...

**MANJARI NEHRU KAUL, J. (Oral)**

The instant petition has been filed for grant of regular bail to the petitioner in FIR No. 188 dated 26.12.2019 under sections 307, 148, 149 IPC and under sections 25, 27 of the Arms Act, 1959 registered at Police Station E-Division, District Amritsar.

Learned counsel contends that the name of the petitioner was implicated in the FIR in question on account of some misunderstanding between the parties which has since been sorted out and a written compromise too has been executed. Further contends that even on merits, no offence under Section 307 IPC is made out as the said offence was added by the Investigating Agency without waiting for the opinion of the Doctors. It has been argued that the injury sustained on the right leg of the complainant

was a fracture which was opined to be grievous but could not be said to be dangerous to life to attract the mischief of Section 307 IPC. It has been further submitted that the petitioner has been in custody since 06.01.2020 and the trial is not likely to conclude in the near future due to the outbreak of Pandemic Covid-19. Hence, the petitioner be extended the concession of regular bail.

Per contra the learned State counsel, on instructions from SI Arun Kumar, while opposing the prayer and submissions of the petitioner has apprised this court that the charges could not be framed due to the restricted functioning of the courts below. However, she has not been able to controvert the factual aspect of the submissions made by the counsel for the petitioner qua the nature of injury received by the complainant. She has expressed her ignorance about the compromise stated to have been effected between the parties.

Heard.

In view of the submissions made by the learned counsel and keeping in view that the petitioner has been in custody since 06.01.2020 and no useful purpose would be served by keeping the petitioner behind bars as the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail. The petition is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

( MANJARI NEHRU KAUL)  
JUDGE

31.08.2020

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**Note:** Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No