

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M-25348-2020

Date of decision: 04.09.2020

Vinay Kumar @ Shera

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Balram Prashar, Advocate for the petitioner.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Vinay Kumar @ Shera, stated to be aged 30 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.102 dated 15.05.2020 under Sections 323, 324, 326, 307, 148, 149, 427, 506, 120-B of IPC and Section 54 of Disaster Management Act, 2005, registered at PS Shimlapuri Ludhiana.

Learned counsel for the petitioner based on pleadings, submits that reading of the FIR would show that the petitioner is neither named in the FIR nor he attributed any role. The name of the petitioner was added later on the statement of injured Ashwani Kumar. He further submits that the co-accused, namely, Annu @ Kakki, has been granted interim bail by this Court vide order dated 18.08.2020 passed in CRM-M-23154-2020.

Learned counsel for the petitioner submits that it is the case of version and

cross version and therefore, the petitioner deserves to be considered on merit for grant of regular bail.

Notice of motion.

On asking of the Court, Mr. Sukhbeer Singh, Asstt. A.G., Punjab, accepts notice on behalf of State through video conferencing. Learned State counsel is not disputing the factual position, however, opposes the bail on merit.

It appears from the order of the trial Court that the petitioner has been CORONA positive during judicial lock up, thus, retention of the petitioner behind the bars would be dangerous to the life of other inmates.

In view of the above, this Court deems it appropriate to release the petitioner on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression on merits of the case.

Disposed of.

(GIRISH AGNIHOTRI)
JUDGE

04.09.2020

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No