

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

**CRM-M-25736-2020
Date of Decision: November 2, 2020**

SHINDER SINGH

..... Petitioner(s)

Versus

STATE OF PUNJAB

..... Respondent(s)

and

CRM-M-28156-2019 (O&M)

JIT SINGH @ JAGMIT SINGH AND ANOTHER

..... Petitioner(s)

Versus

STATE OF PUNJAB

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Anantdeep Singh Sandhu, Advocate
for the petitioner in CRM-M-25736-2020.

Mr. Arshdeep Singh Brar, Advocate
for the petitioners in CRM-M-28156-2020.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Mr. B.S. Bhalla, Advocate
for the complainant.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This order shall dispose of CRM-M-25736-2020 (Shinder Singh Vs. State of Punjab) and CRM-M-28156-2020 (Jit Singh @ Jagmit Singh and another Vs. State of Punjab), as both the petitions arise out of the same FIR.

The petitioners pray for grant of bail pending trial in FIR No.78, dated 16.05.2020 under Sections 325, 323, 506, 148, 149 IPC (Sections 307/308 IPC added subsequently), registered at Police Station Moga, District Moga.

Learned counsel for the petitioners vehemently argue that the petitioners have been falsely implicated in this FIR due to certain misunderstandings, which arose between family members. Furthermore, all the petitioners are attributed with injuries which have been declared simple in nature. Petitioner Jit Singh @ Jagmit Singh, aged 19 years, is attributed with a blow on the right side of the head of the complainant with the reverse side of an axe. Petitioner Shinder Singh, aged 70 years and petitioner Gurdeep Singh, aged 23 years, are attributed with a simple injury each on the person of Mahavir Singh. The injuries attracting the rigours of Section 307/308 IPC are stated to be attributed to co-accused Puran Singh. The petitioners, it is submitted are not involved in any other criminal case. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions from ASI Santokh Singh, verifies that the injury attributed to each of the petitioners has been opined to be simple in nature. It is further verified that they are not involved in any other criminal case. Final report under Section 173 Cr.P.C./challan stands presented.

There is no allegation that the petitioners are likely to abscond or influence witnesses. Due to the situation created by outbreak of the pandemic COVID-19, trial in this case is not likely to be concluded in the near future. No useful purpose would be served by keeping the petitioners incarcerated any longer.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, both these petitions are allowed. The petitioners be released on bail pending trial subject to their furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court/Duty Magistrate.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

02.11.2020
Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No