

CRM-M-29886-2020
Date of decision : October 26, 2020

Sunny

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Amritpal Singh Gill, Advocate for the petitioner.

Mr. Ajay Pal Singh, DAG, Punjab.

LISA GILL, J.

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

The petitioner prays for bail pending trial in FIR No. 334 dated 29.11.2018 under Sections 307, 323, 506, 34 IPC (Section 201 IPC added later) registered at Police Station Division No. 6, District Ludhiana.

It is submitted that the petitioner has been falsely implicated in this matter. The petitioner is alleged to have rendered an injury, a datar blow, above the right eye of the son of the complainant – Chaman Lal. Learned counsel for the petitioner vehemently argues that there is no evidence on record to indicate that Ravi Kumar suffered even a single injury. There is no medico legal report or any other medical evidence on record to reflect the same. Injuries received by the complainant, which may attract the rigours of Section 307 IPC, are attributed to the other co-accused, Ashu. The petitioner, it is stated, is 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 Jagir Singh verifies that there is no medico legal report or any other medical evidence in respect

to the alleged injury received by Ravi Kumar at the hands of the petitioner. It is further verified that the petitioner is not involved in any other criminal case.

Due to outbreak of the pandemic, COVID-19, not much progress is being made towards the conclusion of the trial. There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the learned trial Court, if released on bail. No useful purpose shall be served by keeping the petitioner incarcerated any longer.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court/concerned Duty Magistrate.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

October 26, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No