

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

204 - CRM-M-30877-2020 (O&M)

Date of Decision: 09.10.2020

Gurwinder Singh @ Gindi

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Salil Dev Singh Bali, Advocate for the petitioner

Mr. Sukhbeer, Singh, AAG Punjab

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner Gurwinder Singh @ Gindi has filed the present petition, *inter alia* with a prayer for grant of regular bail in case FIR No.190 dated 28.10.2017, registered under sections 302, 324, 323, 148 & 149 of Indian Penal Code, at Police Station City-I, Abohar, District Fazilka.

Learned counsel for the petitioner, based on the pleadings, submits that the matter relates to 28.10.2017. The petitioner was arrested on 31.10.2017. He further submits that the place of occurrence and other slide facts, would show that it was a case of version and cross-version.

On instructions from SI Bhagwan Singh, learned State counsel submits that charges were framed on 30.04.2019 and there are total of 28 witnesses, out of which, only two have been examined till date.

Faced with the situation, learned counsel for the petitioner submit that the co-accused, namely, Manjit Singh @ Mani, Rajpal @ Raju and Jaswinder Singh @ Laddu have been granted bail by this Court in CRM-M-64457-2018 and other petitions, vide order dated 25.09.2020 (P4).

Counsel then submits that he has instructions from the petitioner and his family members to submit that in order to show their *bona fide*, without prejudice to their defence in the trial, they would deposit Rs.50,000/-, with the trial Court, within one month from today, which can be disbursed to the complainant towards medical expenses.

Learned counsel for the petitioner also submit that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

In addition to the above said bail/surety bonds, accepting the offer made by counsel for the petitioner, the petitioner is directed to deposit Rs.50,000/-, with the trial Court, within one month from today, which shall be disbursed to the complainant towards medical expenses. The above said amount shall be without prejudice to the defence of the petitioner before the trial Court.

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

Accordingly, the present petition stands disposed of.

09.10.2020

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Girish Agnihotri)
Judge

Yes/No
Yes/No