

CRM-M-31895-2020

Date of Decision: 16.10.2020

Bhag Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Dhivya Jerath, Advocate,
for the petitioner.

Mr. Bhupinder Beniwal, A.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed under the provisions of Section 439 of the Cr.P.C., seeking 'regular bail' for the petitioner in case FIR no. 137 dated 22.05.2019, registered at Police Station Sadar Dhuri, District Sangrur, for the alleged commission of offences punishable under Sections 302/365/342/34 of the IPC.

Learned counsel for the petitioner points to the order passed by this court on 23.09.2020, in the case of a co-accused, Lakhvir Singh, who had filed CRM-M-18224 of 2020, with this court having admitted him to bail on the ground that he had been in custody for more than one year and 03 months, with the main allegations being actually against one Raju Khalsa @ Pal Singh, as per the statement of the deceased, made to the complainant (as per the FIR).

She submits that the petitioner is similarly placed as the aforesaid Lakhvir Singh, who had filed the said petition.

Learned State counsel submits that the petitioner being one of those who had inflicted injuries on the deceased, he does not deserve the concession of bail, especially as the material witnesses have not been examined.

However, he does not deny that, as per his instructions, the petitioner has been in custody since May 2019, i.e. for about one year and nine months.

That being so, without making any comment on the actual merits of the case, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Chief Judicial Magistrate/Duty Magistrate, concerned.

October 16, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.