

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

**CRM-M-32420 of 2020
Date of Decision: 09.11.2020**

Lachman Singh @ Lacha

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. P.K.S.Phoolka, Advocate
for the petitioner.

Mr. S.P.S.Tinna, Addl. A.G.Punjab.

SANT PARKASH, J. (ORAL)

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

The instant petition has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in case FIR No. 66, dated
16.05.2020 registered under Sections 324, 506, 34 IPC (Section 307 IPC
added later on) at Police Station Nathana Bathinda, District Bathinda.

As per FIR, the allegations against the petitioner are that he
gave one gandasa from his tent to his son Kuldeep Singh @ Kalu to hit the
complainant-Bittu Singh and Kuldeep Singh @Kalu gave direct blow of
gandasa to the complainant, as a result of which the gandasa hit on the
upper side of the left ear of Bittu Singh and he fell down. The petitioner
along with his son and one Amarnath Lambardar Dana Mandi Bhaini also
gave kick blows to the complainant

Learned counsel for the petitioner submits that the petitioner
has been falsely implicated in the present case. He has not committed any
offence and has not been attributed any injury. He has been implicated

merely on the allegation that he had instigated the co-accused to give injury to the complainant. Learned counsel further states that the petitioner is in custody since 09.06.2020 and there is no other case pending against him.

Learned State counsel does not dispute the fact that the petitioner is in custody since 09.06.2020 and no other case is pending against him. The investigation in the case is complete but opposed the bail on the ground that the offence is very serious.

Heard the learned counsel for the parties.

The petitioner is in custody since 09.06.2020 and no other case is pending against him. Investigation in the case is complete and the petitioner is no more required for any custodial interrogation. Thus, no useful purpose would be served by keeping the petitioner behind bars. Moreover, conclusion of the trial will take some time keeping in view the prevailing pandemic situation.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate.

The petition is allowed.

**(SANT PARKASH)
JUDGE**

09.11.2020
Maninder

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