

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

213 - CRM-M-33769-2020 (O&M)

Date of Decision: 03.11.2020

Mandeep Singh

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Jasraj Singh, Advocate for the petitioner

Mr. PS Walia, AAG Punjab

Mr. Jatinder Nagpal, Advocate for the complainant

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-Mandeep Singh, stated to be aged 33 years, has filed the present petition *inter alia* praying for grant of regular bail in case FIR No.17 dated 14.03.2019 under Sections 302/34 IPC, registered at Police Station Hajipur, District Hoshiarpur.

Learned counsel for the petitioner based on pleadings submits that the alleged incident is stated to have taken place at 7.30 p.m. on 13.03.2019. The petitioner was arrested on 15.03.2019. A perusal of the FIR would show that the complainant as well as the accused are neighbors to each others. He urged that no injury on the person of the deceased has been attributed to the petitioner.

Learned State counsel, on instructions from ASI Namdev, submits that the challan has been presented in this case. There are total of 16 witnesses and none have been examined. He further submits that on merits the petitioner is not entitled to bail.

Counsel for the complainant has opposed the grant of regular bail to the petitioner but has not been able to deny the factual position.

Counsel relies upon the order dated 28.09.2020 passed in **CRM-M-38623-2019 (Dev Raj vs. State of Punjab)** (P6), to submit that the co-accused has already been granted the concession of regular bail. He submits that due to the present COVID-19 situation and also the fact that trial is likely to take some time, detention of the petitioner in jail would be dangerous to his life.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

03.11.2020

vishal shonkar

**(Girish Agnihotri)
Judge**

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

Yes/No
Yes/No