

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

CRM-M-35099-2020

Date of Decision: 10.12.2020

KULWINDER SINGH @ KINDU

.....Petitioner

V/s.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.4 dated 11.01.2019 registered under Sections 307, 332, 353, 186, 323, 224, 148 and 149 of the Indian Penal Code, 1860 at Police Station Kot Ise Khan District Moga, Punjab.

Learned counsel for the petitioner contends that the petitioner who has been in custody w.e.f. 08.08.2020 was arrayed as an accused only in the supplementary statement made by the complainant. He further contends that the similarly situated co-accused, Gurpreet Singh and another, has since been extended with the concession of regular bail by this Court vide order dated 08.05.2020 passed in CRM-M-12072-2020. Hence, he may also be extended the concession of regular bail.

Per contra, learned State counsel, on instruction from ASI Karanjit Singh, has not been able to controvert the factual aspects of the submissions made by the learned counsel for the petitioner and has submitted that the challan has since been presented and the next date fixed

before the trial Court is 21.12.2020 when the charges are likely to be framed. She further stated that the petitioner is involved in three other cases; one under Section 379-B of the IPC, 1860 and two cases under Section 324 and 323 of the IPC, 1860.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 08.08.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic COVID-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

December 10, 2020

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No