

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

**CRM-M-35926-2020(O&M)
Date of Decision: 05.11.2020**

Gurkirpal Singh alias Goldi

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.J.P.S.Sarao, Advocate for the petitioner.

Mr.A.S.Sandhu, Addl.AG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 439 Cr.P.C. for grant of interim regular bail to the petitioner so as to attend the marriage of his real sister from 5.11.2020 to 15.11.2020.

Notice of motion.

Mr.A.S.Sandhu, learned Addl. AG, Punjab accepts notice on behalf of the respondent-State and waives service.

A complete copy of the petition already stands furnished.

Petitioner is an accused in FIR No. 50 dated 06.05.2020, under Sections 302, 307, 326, 325, 324, 341, 506, 323, 148, 149, 188, 120-B IPC, Section 51/54 of Disaster Management Act, 2005 and Sections 3(2), 5 of

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (added later on), registered at Police Station Passiana, District Patiala (Punjab).

Perusal of the order dated 22.10.2020 passed by the learned Additional Sessions Judge, Patiala (Annexure P-7) declining the same very prayer would show that the joint statement of Sarpanch as also other inhabitants of the village of the petitioner has been placed on record by the SHO concerned and in which it stands duly verified that the marriage of the sister of the petitioner is slated for 8/9.11.2020.

Insofar as the FIR is concerned the same was got registered on the statement of Yadwinder Singh. Alleged occurrence is stated to be of 05.05.2020 and in which Bhupinder Singh i.e. real brother of the complainant died on account of infliction of a number of stab wounds by sharp edged weapons. As per initial version recorded of the complainant who was an eye witness and himself had suffered injuries, he had named 14 assailants. Name of the present petitioner did not figure in the initial version. Apparently it is in supplementary statement recorded on 16.05.2020 that the complainant named another 10 assailants in which name of the present petitioner also figures. He is alleged to have armed with a sword even though no specific injury upon the deceased was attributed.

In any case prayer in the instant petition is for grant of interim regular bail to the petitioner. Marriage of the sister of the petitioner is admittedly slated for 8/9.11.2020. Petitioner is stated to be the only brother of his sister. Village of the petitioner where the marriage is to be solemnised is stated to be at a distance of more than 50 Kilometers away from the

village of the complainant side.

In view of the above this Court is inclined to accept the prayer for grant of interim regular bail to the petitioner. Prayer in the petition is for grant of interim regular bail for a period of 10 days. However, the same is not found to be feasible.

Petitioner is allowed benefit of interim regular bail for a period of two days i.e. 8th and 9th November, 2020 subject to imposition of stringent conditions by the trial Court/Duty Magistrate concerned. Liberty is granted to furnish bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate on 6th /7th November, 2020 itself.

(TEJINDER SINGH DHINDSA)
JUDGE

05.11. 2020
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No