

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

CRM-M-37946-2020 (O&M)

Date of decision: 24.11.2020

Mejar Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Bipan Ghai, Senior Advocate, with
Mr. Paras Talwar, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG Punjab.

Mr. Ankur Malik, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 97 dated 04.10.2020 registered under Sections 307, 323, 324, 341, 427, 294, 506, 148, 149 IPC (Sections 452 and 201 IPC were added later on) at Police Station Mullanpur, District SAS Nagar.

Learned counsel for the petitioner states that the name of the petitioner has been arrayed as an accused in the present case at the behest of the complainant party, as Netar Singh-complainant had a dispute with his brother Pal Singh regarding passage in front of his house. The matter could

not be amicably resolved and a scuffle took place between the family members. The petitioner was not named in the FIR and not specific role has been attributed to him. The name of the petitioner was indicted on the supplementary statement of injured-Jagdeep Singh, that the petitioner was present at the spot armed with a rod. The petitioner has been in the custody since 22.10.2020. Co-accused Jagtar Singh has been granted interim bail by this Court, vide order dated 09.11.2020.

Copy of custody certificate by way of affidavit dated 23.11.2020 of the Deputy Superintendent, District Jail, Sangrur, submitted by the learned State counsel through email, is taken on record.

Learned State counsel assisted by learned counsel for the complainant has drawn the attention of this Court that the petitioner was armed with iron rod and gave beatings to complainant party, but has not disputed that co-accused Jagtar Singh has been granted interim bail by this Court.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR and on the basis of supplementary statement of injured-Jagdeep Singh the name of the petitioner was indicted in the present case on 19.10.2020 whereas the occurrence of 04.10.2020. One co-accused has been granted interim bail.

The petitioner has been in custody since 22.10.2020 and challan is yet to be presented. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

24.11.2020
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No