

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

CRM-M-39786-2020

Date of Decision : 07.12.2020

Gurkirpal Singh @ 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.

Ms.Monika Jalota, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

...

Matter has been taken up through Video Conferencing via Webex facility in the light of the COVID-19 situation and as per instructions.

Petitioner seeks concession of bail pending trial 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 Section 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.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Yadwinder Singh. Alleged occurrence is stated to be of 05.05.2020 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.

It has gone uncontroverted that as per initial version recorded of the complainant, who was an eye witness and had himself suffered injuries, there were 14 assailants. Name of the present petitioner did not figure in the initial version. Apparently, it is in the supplementary statement recorded on 16.05.2020 that the complainant named another 10 assailants in which name of the petitioner also figured. Petitioner is alleged to have been armed with a sword even though no specific injury upon the deceased has been attributed.

Petitioner was arrested on 19.05.2020.

Investigation in the case is complete and the challan already stands presented.

Case is yet to be committed to the Court of Session. Trial as such would take time to conclude.

Learned State counsel on instructions from ASI Sohan Singh states that even though petitioner is involved in two other FIRs, but he is on bail in such matters.

In view of the above and without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail on his furnishing bail bond/surety bond to the satisfaction of the trial court/Duty Magistrate, Patiala.

Petition allowed.

07.12.2020
dss

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No