

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

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**CRM No.M-40706 of 2020
Date of decision: 10.12.2020**

Bhopi @ Harmesh

Petitioner

Vs.

State of Punjab

Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

Present: Mr. Piyush Sharma, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner, in case FIR No.143, dated 28.07.2020, under Sections 341, 323, 324, 34 IPC (Section 326 IPC added later on), registered at Police Station Sadar Ferozepur, District Ferozepur.

Learned counsel contends that the petitioner has been in custody since 06.08.2020 and only report under Section 173 Cr.P.C., has been filed till date. Hence, there is no likelihood of the trial concluding any time in the near future.

Learned State counsel on the other hand, while opposing the prayer of the learned counsel for the petitioner, on instructions from Sub Inspector Gurmeet Singh, has submitted that the injury attracting the mischief of 326 IPC has been attributed to the petitioner.

Learned State counsel further submits that as per the CT Scan X-Ray report injury No.1 has been attributed to the petitioner which injury was declared grievous in nature.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 06.08.2020, 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

Poonam Sharma

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No