

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.40822 of 2020
Date of Decision:11.12.2020

SHASHI KUMAR

...Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Preetinder Singh Ahluwalia, Advocate for the petitioner.

Mr. H.S.Sullar,DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate filed by the State by way of affidavit of an Deputy Superintendent Central Jail, Kapurthala through email is taken on record.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.133 dated 20.05.2020 registered under Sections 304 and 120-B IPC at Police Station Division No.8, Jalandhar, District Police Commissionerate, Jalandhar.

Learned counsel for the petitioner states that the only attribution to the petitioner is that he had raised a *lalkara* and caught hold the deceased by his neck. It is further submitted that there was a dispute amongst the neighbors of the locality and that five other co-accused have

already been granted interim bail. Another co-accused, namely, Amir Chand, who is similarly situated, was also granted interim bail by the Court of Additional Sessions Judge, Jalandhar, vide order dated 09.09.2020, while relying upon and making a reference to the letter dated 07.08.2020 issued by the Government of Punjab, Department of Jails. It is further submitted that all the eight family members of the petitioner have been involved in the present case.

The learned State counsel does not dispute the role attributed to the petitioner nor does he dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

As noticed above, co-accused-Amir Chand, whom the same role is attributed to, has been granted interim bail for 6 weeks by the Additional Sessions Judge, Jalandhar, vide order dated 09.09.2020. The petitioner has been in custody since 26.05.2020.

In view of the said fact, this Court is inclined to grant the petitioner interim bail for 6 weeks.

Accordingly, the petitioner is granted interim bail for 6 weeks extendable till the State Notification under the Epidemic Diseases Act, 1897 remains in force, subject to his furnishing of bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

December 11, 2020
Jyoti-IV

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