

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

230

CRM-M-41761-2020

Date of Decision:17.12.2020

Inderays Masih

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Nitin Narula, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.166 dated 01.08.2020 under Sections 452, 323, 148, 149, 506 IPC (the offence under Section 326 IPC was added later on), registered at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner contends that for the similar set of allegations, co-accused Shamsher Singh has been admitted on bail. He relies upon the order dated 04.11.2020 passed by this Court in **CRM-M-33826-2020(Shamsher Singh Versus State of Punjab)**, Annexure P-3.

He submits that the petitioner is in custody for about 03 months and 10 days

and there is no other case against him.

Custody certificate is taken on record.

Learned State Counsel does not dispute the custody of the petitioner and the fact that there is no other case against the petitioner.

Heard learned counsel for the parties.

Petitioner is in custody since 06.09.2020 and the offence under Section 326 IPC has been added at a later stage. For the similar set of allegations, co-accused Shamsheer Singh has already been admitted on bail by this Court vide order dated 04.11.2020. Moreover in view of COVID-19 pandemic, conclusion of trial will take sufficient long time. Thus, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

December 17, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No