

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-41680-2019

DATE OF DECISION: 13.08.2020

KULWANT SINGH

... Petitioner (s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Tanvir Singh Grewal, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Rai, AAG, Haryana.

Mr. G.C. Shahpuri, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.77 dated 07.04.2017, under Sections 148, 149, 323, 452 and 302 IPC, registered at Police Station Chhachhrauli, District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner has been alleged sword blows on the deceased. He further states that petitioner had also suffered injuries in the occurrence. He has referred to the copy of the MLR of the petitioner at Page 31. He also contends that the other members of the petitioner party had also suffered several injuries and copies of their MLRs are at Annexure P-2 to P-7. He also contends that the other co-accused namely Devender Kumar and Maan Singh had also been granted regular bail in CRM-M-47352 of 2018 and CRM-M-36276 of 2017 on 28.08.2019 respectively.

The petitioner is in custody for over 3 years and 4 months.

Learned State counsel upon instructions from SI Charanjit Singh contends that all the prosecution witnesses have been examined and the matter is now listed for examination of defence evidence.

Learned counsel for the complainant, however, contends that the petitioner and the co-accused Banti are the main accused. The prosecution evidence was led way back and the petitioners have not examined other witnesses and hence they do not deserve the concession of regular bail. Instead the trial Court may be directed to expedite the trial.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 3 years and 4 months, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

13.08.2020.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No