

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-51729-2019 (O&M)

Date of Decision: 20.08.2020

Kulvinder Singh @ Doola

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. GS Saini, Advocate for the petitioner

Mr. Amit Mehta, Sr.DAG, Punjab

Mr. RM Sharma, Advocate for the complainant

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of lockdown due to outbreak of COVID-19 pandemic.

The petitioner Kulvinder Singh @ Doola aged 30 years has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.29 dated 26.04.2018 under Sections 307/323/341/336/120-B/148/149 IPC and Sections 25/27 of the Arms Act, 1959 registered at PS Mallanwala, District Ferozpur.

Learned counsel based upon the pleadings submits that in fact the FIR has been lodged under Sections 307/323/341/336/120-B/148/149 IPC and Sections 25/27 of the Arms Act, 1959. Learned counsel for the petitioner based upon the pleadings made in para 10 of the petitioner and having perused the challan so prepared, submits that it has come on record that only one injury is declared dangerous to life and the same has been allegedly attributed to Balkar Singh.

Learned State counsel, on instructions from ASI Rajinder Singh, submits that the petitioner was arrested on 21.08.2019. There are a total of 23 witnesses and none have been examined till date.

Learned counsel for the complainant, however, submits that there are 3 injured persons who have suffered injuries. He thus opposes the bail on merits.

Faced with this situation, counsel for the petitioner then submits that due to the present COVID-19 situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner is entitled for regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

In view of the peculiar circumstances as noticed above, in addition to bail bonds/additional surety which the trial court may further require the petitioner to furnish as it deems appropriate, the petitioner is directed to deposit Rs.50,000/- each which shall be handed over to the injured, namely, Arshdeep Singh, Tejbikram Singh and Sahib Singh towards their medical expenses, within one month from the date of release with the Duty Magistrate/trial Court.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

20.08.2020

vishal shonkar

(Girish Agnihotri)
Judge