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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.432 of 2021 (O&M)

Date of decision: 25.08.2021

Gurmeet Singh @ Rai Su

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Nahel, Advocate
for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

None for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

CRM-18289-2021

Heard.

Allowed as prayed for.

Document (Annexure P-3) is taken on record subject to all
just exceptions.

CRM-18283-2021

Prayer in this application is for preponing the date fixed in
the main petition.

Heard.

For the reasons stated in the application, the same is
allowed and the main case is taken up today for hearing.

CRM-M-432-2021

Prayer in this petition is for grant of regular bail to the

CASE HEARD THROUGH VIDEO CONFERENCING

petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.289 dated 14.10.2020, for offence punishable under Section 307 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Bhawanigarh, District Sangrur.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of the complainant Manjeet Kaur, she along with her son Jaswinder Singh was standing near a gate and the pet dog of her brother-in-law Gurmeet Singh (petitioner herein) tried to bite her son. On this, her son Jaswinder Singh gave a danda blow on the dog but it did not hit the dog. Thereafter, the petitioner started abusing the son of the complainant and when they were going to their house, the petitioner gave stick blows on the head of Jaswinder Singh.

Counsel for the petitioner has further submitted that the petitioner is the first offender; he is not involved in any other case and is in custody since 01.11.2020. It is also submitted that the investigation is complete and it will take some time in conclusion of the trial.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail. It is also submitted that the victim has suffered serious injuries on his head and he was referred to PGIMER, Chandigarh, and remained under treatment.

Though, on an earlier occasion, counsel for the complainant was appearing, however, from the last two dates of hearing, no one is appearing.

In reply, counsel for the petitioner has submitted that the

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petitioner is ready to deposit a sum of Rs.50,000/- with the trial Court/Illaq Magistrate, which will be released in favour of the victim towards his medical expenses, without prejudice to his right of defence.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 09 months and 23 days; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation and also in view of the fact that the petitioner is ready to deposit a sum of Rs.50,000/- with the trial Court/Illaq Magistrate, which will be released in favour of the injured/victim, without prejudice to his right of defence, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

The payment of Rs.50,000/- shall be a pre-condition before accepting the bail/surety bonds.

(ARVIND SINGH SANGWAN)
JUDGE

25.08.2021

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No