

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206/4

CRM-M-1518-2021

DATE OF DECISION: 09.02.2021

KULWANT SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Randeep Singh, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Ajay Kumar Sharma, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.69 dated 03.05.2020, under Sections 307, 364, 392, 323, 324, 325, 148, 149 and 201 IPC (Section 325, 201 and 120-B IPC added later on), registered at Police Station Kharar, District SAS Nagar.

Learned counsel for the petitioner contends that the petitioner along with other accused was undergoing treatment in the drug counselling and rehabilitation centre run by the complainant. It is alleged that the accused had revolted and armed with sword, iron rods, wooden sticks had caused injuries to the complainant and stolen money and other articles. He further contends that the complainant has fully recovered from the injuries. All the injuries were found to be simple in nature except one on the forehead of the complainant caused with a 'kirpan'. He also contends that the drug counselling and rehabilitation centre had a capacity of treating 10 people but over 20 people

were admitted which had resulted in inhuman treatment, therefore, they had revolted.

Learned State counsel, upon instructions from ASI Lakhbir, states that challan has been filed but no prosecution witness has been examined. He also contends that the petitioner is in custody for a period of 7 months and 2 days.

Heard through video conferencing.

It is apparent that the petitioner was one of the inmates who were undergoing treatment in the drug rehabilitation centre. The inmates are alleged to have attacked the complainant. The complainant has recovered from the injuries.

In view of the above, especially when the petitioner was undergoing treatment in the drug rehabilitation centre, the injured has fully recovered from the injuries, he is in custody for over 7 months, he is not involved in any other criminal case, 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

09.02.2021

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No