

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 983 of 2021
Date of Decision: 15.1.2021**

Jaswinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Gaurav Partap S. Pathania, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 0127 dated 19.7.2020 under Sections 324, 34 IPC and later on added Sections 323 and 326 IPC registered at Police Station Shahpur Kandi, District Pathankot.

Custody certificate by way of affidavit of Deputy Superintendent, Central Jail, Kapurthala has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that initially, the present FIR was registered under Section 324, 34 IPC against the petitioner and the co-accused and all of them have joined the investigation and were admitted to bail and Sections 323 and 326 were added on 20.9.2020. He further submits that the brother of the petitioner, namely, Rakesh Kumar has been granted anticipatory bail by this Court vide order dated 21.12.2020.

Learned counsel for the petitioner submits that it is a case of

version and cross-version and co-accused Rakesh Kumar's wife Vandana, has also got registered FIR No. 204 dated 12.12.2020 under Sections 452, 323, 506, 34 IPC against complainant Balwinder Singh and his wife Geetanjali. Learned counsel further submits that there are civil litigations pending between the parties and the petitioner has been in custody since 15.12.2020.

On the other hand, learned State counsel submits that the petitioner has been attributed three injuries upon the complainant i.e, on the head, biceps of the left arm and on the backside of the left shoulder of the complainant. However, it has not been disputed that the petitioner has been in custody since 15.12.2020 and the dispute is within the family.

It is a case of version and cross-version. Co-accused Rakesh Kumar has been granted anticipatory bail by this Court on 21.12.2020. As per the custody certificate, the petitioner has been in custody for the last one month. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

January 15, 2021
Gurpreet

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