

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

222/4

CRM-M-4552-2021 (O&M)

Date of decision : 04.10.2021.

Harkamaljeet Singh @ Kamal Sandhu

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Kamal Narula, Advocate for the petitioner.

Mr. Harsimran Singh Sitta, AAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

CRM-30717-2021

This application is for placing on record Annexures P-3 to P-6.

Heard. For the reasons stated in the application, the same is allowed and Annexures P-3 to P-6 are taken on record subject to all just exceptions.

Main case

The petitioner is seeking regular bail in FIR No.206 dated 25.09.2020 under Sections 307, 379-B, 323, 148, 149 IPC registered at Police Station City Fazilka, District Fazilka.

Learned counsel for the petitioner contends that there is a delay of four days in registering the FIR which is outcome of a sudden altercation between the parties. The petitioner is attributed a solitary blow with a sword on the head of the complainant who has fully recovered from the injury. He further contends that the complainant and his father while appearing as PW-1 and PW-2 respectively before the trial Court have not supported the prosecution case qua the involvement of the petitioner. Offence under Section

307 IPC has been added without any medical opinion in that regard. He also contends that with the intervention of the respectables, the matter has been compromised. A copy of the compromise is at Annexure P-2. The petitioner is in custody for over eleven months since his arrest on 03.11.2020.

Learned State counsel, upon instructions from ASI Kulwant Singh, states that 05 out of 16 prosecution witnesses have been examined and seven prosecution witnesses have been given up.

Heard.

In view of the above especially when the petitioner is in custody for over eleven months, the material witnesses have not supported the prosecution case, the matter has been compromised, 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.

Pending application, if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

October 04, 2021
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No