

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

CRM-M-4939-2021

Date of decision:23.04.2021

Satnam Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. H.S. Sitta, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate by way of an affidavit dated 22.04.2021 of Superintendent, Central Jail, Kapurthala, filed through e-mail, is taken record.

Status report by way of an affidavit dated 22.04.2021 of Deputy Superintendent of Police, Sub Division Dasuya, District Hoshiarpur, filed through e-mail, is also taken record.

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.240 dated 08.10.2020 registered under Sections 325, 323, 506, 341, 148 and 149 IPC (Section 308 IPC added later on) at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner states that the occurrence took place on 05.10.2020, whereas the present FIR was registered on 08.10.2020. It is a case of version and cross-version and the petitioner and co-accused Prabhdeep Singh have also received injuries. He further states that the petitioner has been attributed single *kirpan* blow to the

complainant, which is on the non-vital part of the body. He further states that the main accused i.e. Prabhdeep Singh has already been arrested and the petitioner has been in custody since 15.10.2020. It is further stated that co-accused Amandeep Singh alias Aman has already been granted bail by this Court vide order dated 06.11.2020 (Annexure P-2).

Learned State counsel, while opposing the prayer for regular bail, has not disputed the factum of custody period of the petitioner and the fact that co-accused Amandeep Singh alias Aman has already been granted bail by this Court. It is further stated that the challan has been presented. Case has been committed to the Sessions Court. Although the injury attributed to the petitioner falls under Section 325 IPC yet it has been declared grievous in nature.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 15.10.2020. The trial will take time to conclude due to Covid-19 pandemic situation. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

23.04.2021
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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No