

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

214

CRM-M-5421-2021

Decided on : 11.02.2021

Nirbhai Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Shiv Kumar, Advocate,
for the petitioner(s).

Ms. Monika Jalota, DAG, Punjab
assisted by SI Nirbhai Singh.

Mr. Lalit Chander Sharma, Advocate for
Mr. Surinder Garg, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 63, dated 01.08.2020, under Section 306 IPC, registered at Police Station Sherpur, District Sangrur.

Learned Sr. counsel for the petitioner contends that the petitioner has been falsely implicated in the case in hand. In fact, it was the deceased – Balveer Singh @ Bira, who in an inebriated condition climbed on the telephone tower and jumped to his death. Further contends that there is no qualitative evidence on record to connect the petitioner with the allegations levelled by the family of the deceased against the petitioner. Learned Sr. counsel hence prayed that the petitioner has been in custody since 23rd December, 2020 and only challan has been presented till date, be extended the concession of regular bail, as similarly situated co-accused has since been extended the concession of interim bail by this Court.

Per contra, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioner. She has, however, not been able to controvert the factual aspect of the submissions so made by learned counsel for the petitioner.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 11, 2021

J.Ram

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