

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-11841-2021 in/and

CRM-M- 9054-2021 (O&M)

Date of Decision: April 20, 2021

(Heard through VC)

Tajinder Mahey alias Bhinda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Saurav Bhatia, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab

JAISHREE THAKUR, J. (Oral)

CRM-11841-2021

Application is allowed.

Documents i.e. Annexure A-1 and A-2 are taken on record.

CRM-M- 9054-2021

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
02.06.2020 under Sections 323, 324, 427, 148, 149, 188 452, 326, 307,
120-B of Indian Penal Code registered at Police Station Sadar Banga,
District SBS Nagar.

Learned counsel for the petitioner contends that the petitioner
herein was taken into custody on 02.10.2020. It is submitted that the

petitioner has been falsely implicated in the present case. It is argued that in the interim, the petitioner had been released by the High Court for a short period of time on account of ill health of his father and he surrendered thereafter. It is submitted that the injuries attributed to him have been declared as grievous in nature whereas injury No. 2 has been declared as simple in nature. It is also argued that the matter stands investigated and the challan also stand presented and there is little likelihood of him influencing the investigation, therefore, he is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that there are two more cases pending against him, however, she does not dispute the fact that the matter stands investigated and the challan stands presented.

Learned counsel for the complainant opposes the grant of regular bail to the petitioner while arguing that the petitioner had inflicted an injury on the head of the complainant, therefore, he is not entitled for any concession of regular bail.

I have heard learned counsel for the parties.

Since due to resurgence of pandemic COVID-19 in the recent weeks, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 02.10.2020 and the matter has been investigated and the challan stands presented, no useful purpose would be served in keeping the petitioner behind bars any longer. As regards the contention that there are two other cases pending against the petitioner, the same pertains to the year 2015, wherein in one case he stands acquitted and

in another, he stands released on probation. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of personal bond of Rupees One Lakh with one surety in the like amount to the satisfaction of concerned trial Court/Duty Magistrate.

April 20, 2021
seema

(JAISHREE THAKUR)
JUDGE

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