

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

214

CRM-M-11798-2021 (O&M)

Date of decision : 07.07.2021.

Kuldeep Singh @ Babbu

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Simranjit Singh Sarwara, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.10 dated 21.02.2017 under Sections 302, 324, 323, 148, 149 IPC (Sections 201 and 120-B IPC added later on), registered at Police Station Banur, District Patiala.

Learned counsel for the petitioner contends that it is alleged that the petitioner had given a solitary *kirch* blow in the stomach of the deceased. The alleged occurrence is a sudden fight and there is no previous enmity. He also contends that the petitioner is in custody for over four years since his arrest on 24.02.2017 and is suffering from a kidney ailment. He has referred to the copy of the report of the Senior Medical officer, Civil Hospital, Ropar dated 18.05.2021 wherein it is stated that the petitioner was admitted in Civil Hospital, Ropar in view of mild covid illness. He is also a known case of left ureteric calculus and is under regular follow-up at the Government Medical College and Hospital, Sector 32, Chandigarh.

Learned State counsel, upon instructions from ASI Mohinder Singh, states that ten prosecution witnesses have been examined and five PWs

remained to be examined. He has filed status report by way of an affidavit of Deputy Superintendent, District Jail Rupnagar wherein the medical report with regard to ailment of the petitioner has been attached. It is mentioned therein that the petitioner is suffering from K/C/O/Left Ureteric Calculus, causing mild proximal hydro ureteronephrosis for which he was referred to GMCH-32, Chandigarh.

Heard through video conferencing.

In view of the above especially when the petitioner is in custody for over four years and four months, he is unwell, 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.

(ANUPINDER SINGH GREWAL)
JUDGE

July 07, 2021
sonia gugnani

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