

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-12011-2021
Decided on : 25.03.2021

Kulwant Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. K.S.Sidhu, Sr. Advocate with
Mr. G.S.Benipal, Advocate
for the petitioner.

Mr. R.S.Thind, DAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.66 dated 25.06.2020 registered under Sections 302, 307, 325, 506, 323, 148, 149, 120-B IPC, 1860 and Sections 25/27/29/54/59 of Arms Act at Police Station Mulepur District Fatehgarh Sahib.

Learned Senior counsel for the petitioner inter alia contends that the petitioner has been attributed a single danda blow on the legs of one the witnesses. He further submits that the petitioner has not been attributed any injury on the person of the deceased much less fatal injury. Learned counsel submits that the petitioner has been in custody since 27.06.2020 and there is no likelihood of the trial concluding in the near future as only challan has been presented till date. It has also been contended that the petitioner is similarly situated as co-accused Jagdeep Singh, who has been granted the concession of bail by this Court vide order dated 02.03.2021 (Annexure P-2).

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from ASI Gurcharan Singh has conceded that the petitioner has not been attributed any injury on the person of the deceased and has been attributed a simple injury with a danda on the leg of one of the witnesses.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 27.06.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

25.03.2021

sonia

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No