

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

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**CRM-M-17289-2021
Date of Decision: 30.04.2021**

ARVINDER SINGH @ MOTTY

... Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ravneet Singh Joshi, Advocate
for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J.(Oral)

This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.34 dated 16.05.2020 lodged under Sections 323, 506, 341 and 452 of the Indian Penal Code, 1860 and Sections 325 and 307 IPC added lateron registered at Police Station city Kurali, District SAS Nagar Mohali.

Learned counsel for the petitioner contends that the allegations levelled against the petitioner that he inflicted injuries on the head of the complainant are belied from the medical evidence on record annexed as Annexure P-2 as no such injuries stand reflected therein. He submits that it thus leaves no manner of doubt that a fabricated case has been planted upon the petitioner on account of a previous enmity between the parties. He further submtis that in fact it was a case of vehicular accident wherein none of the injuries received by the injured were opined to be dangerous to life by the

doctor. He also submits that all the injuries except two were opined to be simple in nature and even the injuries which were found to be grievous were just a nasal fracture. It has, therefore, been prayed that since the petitioner has been in custody since 16.05.2020 and only challan stands presented, he may be extended the concession of bail.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from HC Sanjeev Kumar, has not been able to controvert that none of the injuries sustained by the injured were declared dangerous to life. He further submits that the delay in the trial has been on account of the outbreak of pandemic COVID-19.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 16.05.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic COVID-19, 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

30.04.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No