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

**CRM-M No.17351 of 2021
Date of Decision: 29.04.2021**

GURPREET SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Impinder Singh Dhaliwal, Advocate
for the petitioner.

Ms. Bhavna Gupta, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.68 dated 16.05.2020, registered under Sections 324, 341, 323, 148, 149 IPC (Sections 307 and 326 IPC added later on) at Police Station Bahawwala, District Fazilka.

As per allegations in the FIR, the complainant Pappu Singh lent two goats to the petitioner about three years ago for rearing purposes. On 15.05.2020, son of the complainant asked

for return of the goats which were increased to 10. The accused returned two goats but after giving abuses. Thereafter the occurrence took place and allegations are that the petitioner was present along with others, but no specific injury has been attributed to the petitioner.

Learned counsel for the petitioner submitted that the injuries have been attributed to Surinder and other assailants repeatedly on the person of the complainant. Petitioner has not inflicted any injury except his presence at the spot and being member of unlawful assembly.

Factual matrix of the case could not be disputed, but learned State counsel submitted that the occurrence took place at the instance of the petitioner himself. The complainant has received grievous injuries on his person and even Section 307 IPC is also attracted.

The offence under Section 307 IPC would be tested in view of opinion of the Doctor whether such injury was sufficient to cause death in ordinary course of nature. Petitioner is in custody since 27.12.2020. The charges have not been framed so far. Due to the situation arising out of COVID-19 pandemic, the trial of the case may take some time in its culmination.

At this stage, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 29, 2021
Atik

(RAJ MOHAN SINGH)
JUDGE

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