

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

CRM-M-17901-2021(O&M)

Date of decision : 29.06.2021

Vikas Sharma alias Vicky

..... Petitioner

versus

The State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.S.S.Sarwara, Advocate for the petitioner.

Mr.Gaurav Dhuriwala, Senior DAG, Punjab.

Mr.S.P.Singh, Advocate for the private respondents.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This is the second petition preferred by the petitioner under Section 439 Cr.P.C. seeking benefit of regular bail pending trial in FIR No. 16 dated 20.01.2020, under Sections 307, 323, 506, 341, 148, 149 IPC, registered at Police Station City Rajpura, District Patiala.

Counsel for the parties have been heard.

FIR came to be registered in relation to an occurrence dated 19.01.2020. As per prosecution version the petitioner has been attributed an iron rod blow on the head of injured Sushil Kumar as also a blunt injury on the head of Rajinder Kumar.

Petitioner was arrested on 28.01.2020.

Investigation in the case is complete and the challan has already

been presented.

Trial, however, is at the initial stage and would take time to conclude particularly keeping in view the current Covid pandemic.

Mr.Dhuriwala, learned State Counsel, on instructions from ASI Surjit Singh, apprises the Court that offence under Section 307 IPC has been cited on the ground of intent and not on the basis of any medical opinion pertaining to the injuries received by the complainant party.

It has further been conceded that even though petitioner is involved in a number of other FIRs but he has otherwise secured benefit of bail in such matters. At this stage it would also be pertinent to take note of the submission advanced by counsel that a compromise has since been thrashed out between the parties and on the basis there of a quashing petition under Section 482 Cr.P.C.has been filed in this Court. Such factual assertion is not rebutted by counsel who has put in appearance on behalf of the complainant.

In view of the above and keeping in view the length of incarceration already suffered, petitioner is held entitled to benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

29.06.2021
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No