

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

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**CRM-M-19469-2021(O&M)
Decided on : 25.05.2021**

KARTAR SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab
assisted by ASI Devinder Dass.

Mr. D.S. Malwai, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.272, dated 05.08.2020, under Sections 302, 307, 341, 506, 109, 148, 149 of IPC and Sections 25/27/54/59 of the Arms Act, 1959, registered at Police Station Sadar Dhuri, District Sangrur.

Learned counsel for the petitioner inter alia contends that it is a case of version and cross-version wherein both the parties received injuries at the hands of each other. He further contends that the petitioner is author of the cross-version. Learned counsel has invited the attention of this Court to Annexure P-4, which is the MLR of the petitioner, wherein it stands reflected that the petitioner had received 2 lacerated injuries besides 3 other injuries on various parts of his body in the occurrence in question. It has been submitted that even a perusal of the FIR in question reveals that the petitioner has just been attributed a joint *lalkara* and has been shown to be armed with a *sotti*. Learned counsel submits that no injury has been attributed to the petitioner, much less, with a *sotti* which he was allegedly armed with at the time of occurrence. He further submits that similarly situated co-accused have been extended the concession of bail by this Court vide Annexure P-7. It has been submitted that the petitioner has been in custody since 25.10.2020 and there is no likelihood of the trial concluding

in the near future hence he may be extended the concession of bail.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner on instructions from ASI Devinder Das has not been able to controvert the factual aspects of the submissions made by the learned counsel for the petitioner with respect to the role attributed to the petitioner in the FIR in question and also qua the injuries sustained by him in the cross-version case. Learned State counsel has submitted that charges stand framed on 29.04.2021 and prosecution evidence was likely to commence on the next date of hearing.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of 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

May 25, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>