

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

213

**CRM-M-20012-2021(O&M)
Decided on : 25.05.2021**

GURPREET SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

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

PRESENT: Mr. Vikram Bali, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab
assisted by ASI Amrinder Singh.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No.019, dated 03.02.2019, under Sections 323, 325, 341, 506, 34 IPC (Section 308 IPC added later on), registered at Police Station Mehtiana, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner is not a man of criminal antecedents and is not involved in any other criminal case. He contends that a perusal of the FIR in question reveals that he has been attributed grievous injury on the nose of the complainant with *banja*, which he was allegedly carrying at the time of occurrence. Learned counsel further contends that the petitioner has been in custody since 05.01.2021 and there is no likelihood of the evidence concluding any time in the near future as only 06 out of 16 prosecution witnesses cited have been examined so far. It has thus been prayed that the petitioner 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 Amrinder Singh, has apprised this Court that the petitioner was declared a proclaimed offender on 26th November 2019 and surrendered only as recently as on 05.01.2021. He has, however, not been able to controvert the role and injury attributed to the petitioner in the FIR in question.

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)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*