

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 21108 of 2021

Date of Decision: 27.8.2021

Paramjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Dhivya Jerath, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 63 dated 24.6.2019 under Sections 323, 324, 148, 149 IPC and Sections 307, 326 IPC (added subsequently) registered at Police Station Ghuman, District Gurdaspur.

Status report by way of short affidavit of Deputy Superintendent of Police, Sub Division Sri Hargobindpur, Police District Batala, District Gurdaspur dated 03.8.2021, filed in the Registry, is taken on record.

Custody certificate by way of affidavit of Additional Superintendent, Central Jail, Kapurthala dated 26.8.2021 has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that though the alleged injury attributed to the petitioner, is on the head of the father of the complainant but the petitioner has been in custody for the last 01 year, 10 months and 12 days and out of 24 prosecution witnesses, none has been examined so far; that the alleged occurrence took place on 21.6.2019

whereas the FIR in question was registered on 24.6.2019 i.e. after a delay of 03 days: that it is a version and cross-version and it is yet to be ascertained by the trial Court on the basis of evidence as to which party was the aggressor one and there is no other case against the petitioner.

On the other hand, learned State counsel while opposing the bail petition, submits that the alleged injuries on the person of the petitioner, were found to be self-inflicted and it cannot be said to be a case of version and cross-version. However, he has not disputed the custody period of the petitioner and the fact that no other case is pending against him. Learned State counsel further submits that charges have been framed in the present case and the case is matured for prosecution evidence.

I have heard the learned counsel for the parties.

In the present case, the FIR was registered on 24.6.2019 and as per the custody certificate, the petitioner has been in custody for the last 01 year, 10 months and 12 days and there is no other case against him. Charges have been framed in the present case but the prosecution evidence is yet to commence. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

August 27, 2021
Gurpreet

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