

SANDEEP SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

MR. Sidakmeet S. Sandhu, AAG, Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Sandeep Singh-petitioner is seeking regular bail in the case bearing FIR No. 105 dated 18.09.2020 under Sections 326/324/323/148/149 IPC(Section 307 IPC added later on), registered at Police Station Begowal, District Kapurthala..

Briefly, the case has been registered at the instance of Davinder Kaur-complainant alleging that on 17.09.2020, she alongwith her sister, namely, Sumandeep Kaur had gone to the market. Baljinder Singh @ Bobby and Baljit Singh her brother-in-law alongwith 5-6 unknown persons had inflicted injuries upon her person by means of datars etc.

It is contended by the learned counsel for the petitioner that the petitioner has not been named in the FIR and has been nominated in the supplementary statement of the complainant which has been recorded on 17.12.2020 after a lapse of about three months and the offence under Section 307 IPC has been deleted. Only one injury i.e. injury No.4 falls under Section 326

IPC and its authorship is debatable. The similarly placed co-accused namely Gagandeep Singh and Varinder Singh @ Mangal have been granted regular bail by the Co-ordinate Bench of this Court in terms of order dated 25.05.2021 passed in CRM-M-19427-2021 and CRM-M-19659-2021. The arrest of the petitioner was effected on 08.12.2020 and he is not involved in any other case.

On instructions of ASI Harpal Singh, learned State counsel has not disputed the factual aspects of this case but has argued that injury No.4 is the result of collective efforts made by the accused party.

In the instant case, the similarly accused have been granted bail which makes out of a justified case for extending the concession of bail to the petitioner on the principle of parity. Moreover, the petitioner is in custody for the last about six months, his name has not been mentioned in the FIR, he has been nominated after a period of three months in the supplementary statement of the complainant, the offence under Section 307 IPC has been deleted, the investigation of the case is complete and challan has already been presented in the Court. Furthermore, the conclusion of the trial is likely to take sometime on account of restricted hearing due to Covid-19 Pandemic and no fruitful purpose will be served by detaining the petitioner in further custody.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

10.06.2021
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(VIVEK PURI)
JUDGE

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