

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

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**CRM-M-22314-2021
Decided on : 30.06.2021**

Gurtej Singh alias Teji

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. HPS Ghuman, Advocate
for the petitioner(s).

Mr. H.S. Multani, AAG, Punjab
assisted by SI Baljinder Singh.

MANJARI NEHRU KAUL, J. (Oral)

This is the third petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 61, dated 27.06.2020, under Sections 307, 324, 323, 326, 506, 148, 149, 201 IPC, registered at Police Station Doraha, District Ludhiana.

At the outset, on a pointed query put to learned counsel for the petitioner as to what was the substantial change in the circumstances subsequent to the withdrawal of the earlier petition on 14.01.2021, it has been submitted that similarly situated co-accused has since been extended the concession of bail by this Court vide order dated 30.04.2021 (Annexure P-7). Learned counsel has further contended that the petitioner has been in custody since 30th June, 2020 and till date the charges have not yet been framed. It has also been submitted that falsity of the allegations levelled in the FIR is evident from the fact that both the petitioner and co-accused Satnam Singh (since granted the concession of bail) have been attributed the same injury on the thigh of the injured. Learned counsel has invited the

attention of this Court to Annexure P-6 (MLR), which clearly reveals that there was only one simple injury received by the injured on the thigh, which was attributed to both the petitioner and the co-accused Satnam Singh.

Per contra, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioner. He has, however, not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner with respect to the allegations levelled against the petitioner. He has submitted that the charges are likely to be framed shortly and the delay has been on account of the outbreak of pandemic COVID-19.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been in custody since 30.06.2020, 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

June 30, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*