

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

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CRM-M-27361-2021 (O&M)

Date of decision: 23.08.2021

KESHAV @ KESHU

.....Petitioner

versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. L.S. Sidhu, Advocate,
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

ANIL KSHETARPAL, J. (ORAL)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This is the third petition filed by the petitioner for grant of bail pending trial in a criminal case arising from FIR No.55, dated 12.06.2019, registered under Section 302/323/148 and 149 IPC, at Police Station City Zira, District Ferozepur, Punjab.

In the first petition i.e. CRM-M-22335-2020, the petitioner was permitted to withdraw the petition with liberty to file a fresh one after examination of material prosecution witnesses.

The second petition i.e. CRM-M-28668-2020, was dismissed on the ground while noticing that the evidence of the material prosecution witnesses has not been recorded.

The FIR was registered on the basis of statement of Satpal Monga son of Banarsi Dass. He has stated that his wife and his son late Sh. Sunil Kumar @ Monu were running a vegetable cart and on 12.06.2019

when the first informant went to the cart then the following accused namely Jaspal Singh, Karan Sharma, Gurpreet Singh, Gora, Sukhchain Singh @ Chaina and Ranjit Singh, who were armed with baseball bats came to the cart of his son and started abusing him. Thereafter, they took him to the temporary bus stand at Kotise Khan where Jaspal Singh gave a blow of his baseball bat on the head of deceased, whereas, Sukhchain Singh @ Chaina gave a blow of his baseball bat on the right side of the head of the deceased. Thereafter, the petitioner gave a kick blow and again raised lalkara. When the first informant and Inderjit Singh tried to save Sunil Kumar, then Gurpreet Singh @ Gora, Gurpreet Singh @ Jujj, Sukhchain Singh @ Chaina and Ranjit Singh started causing injuries to the first informant. Thereafter, due to the arrival of the wife of the first informant and other respectable people, the accused ran away.

The petitioner's counsel contends that the petitioner is in custody for a period of more than 2 years and as per the allegations, he is alleged to have given a kick blow to the deceased. He further contends that Karan Kumar @ Karandeep Kumar Sharma and Gurpreet Singh @ Juj have been granted concession of bail vide orders dated 31.07.2020 and 13.08.2020, respectively.

On the other hand, learned State counsel has opposed the submissions of learned counsel representing the petitioner.

Considering over all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. The trial of the case is likely to take long time. Therefore, Keshav @ Keshu-the petitioner, is directed to be released on regular bail; pending trial, if not required in any other case, subject to furnishing of adequate surety to

the satisfaction of the trial Court/Duty Magistrate.

Accordingly the petition is allowed with the aforesaid directions.

August 23, 2021
nt/ay

(ANIL KSHETARPAL)
JUDGE

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