

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-25962 of 2020 (O&M)

Date of Decision: 25.01.2021

Barma Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Jasdeep Kailey, Advocate
for the petitioner.

Mr. Bhupender Beniwal, A.A.G., Punjab.

Mr. Achin Gupta, Advocate
for the complainant.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

CRM-28254-2020:

The application is allowed, as prayed. Medical opinion in respect of Jagmeet Singh is taken on record as Annexure R-1, subject to all just exceptions.

Criminal Misc. No.M-25962 of 2020:

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.44 dated 24.04.2020 under Sections 307, 323, 324, 506, 148, 149 IPC registered at Police Station Sadar Faridkot, District Faridkot.

Learned counsel for the petitioner has argued that the injury attributed to the petitioner is *kirpan* blow on the head of Jagmeet Singh, which was opined to be dangerous to life. However, the injured remained in hospital for a total period of 4 days i.e. two days in Medical College Faridkot and thereafter, he was referred to PGI Chandigarh where he remained admitted for another 2 days. He further submits that the charge has not been framed in the case so far. The petitioner is in custody since 27.04.2020.

Learned counsel for the complainant has opposed the bail application on the premises that the injury attributed to the petitioner was found to be dangerous to life, for which FIR under Section 307 IPC was registered against the petitioner and other co-accused.

I have heard learned counsel for the parties.

There is no dispute that the petitioner is custody since 27.04.2020 i.e. for a period of more than 9 months. Challan in the case has been presented, but the charge has yet not been framed. As per the MLR conducted on the person of the injured Jagmeet Singh, injury was inflicted on the right side front area of his head and for this injury, he remained admitted in hospitals for 4 days. Considering the fact that trial in the case is

not likely to be concluded in near future, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

January 25, 2021
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No