

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

CRM-M-25956-2020(O&M)

Date of decision: 28.06.2021

Bhupinder Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Naresh Kumar, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-15289-2021

Prayer in the present application under Section 482 Cr.P.C. is for preponement of the date of hearing of the main case, which is fixed for 10.09.2021.

Notice of the application.

On the asking of this Court, learned State counsel, accepts notice on behalf of the respondent-State and submits that he has no objection, if the aforesaid prayer is allowed.

In view of the above, the application is allowed and the date of hearing of the main case is preponed from 10.09.2021 to that of today and the same is taken on the Board for hearing.

Main case:

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 74 dated 06.06.2020, registered under Sections 308, 323, 506 and 34 IPC, at Police Station Chabbewal, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The FIR was registered on the complaint of Gyan Singh, who is the real uncle of the petitioner, and there is a family dispute between the parties. There was no malicious intention of the petitioner to cause any injury to the complainant party, nor he was armed with any stick/*danda*. The petitioner has been in custody since 07.06.2020 i.e. for the last more than one year. The learned counsel for the petitioner prays to grant the concession of regular bail on the ground of custody period of the petitioner. Moreover, there is no other case pending or registered against the petitioner.

Learned counsel for the petitioner further submits that the petitioner, without prejudice to his right of defence is ready to pay compensation to the injured persons on account of medical treatment.

While opposing the prayer of the petitioner, learned State counsel submits that the petitioner has inflicted injuries on the head of Inderjit Singh-son of the complainant, which was dangerous to life. The petitioner has also caused injuries to the complainant and his grand-daughter, Harpreet Kaur. However, he has not disputed the fact regarding the custody

period of the petitioner and submits that the challan has been filed and charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 07.06.2020. Though the case is at the stage of evidence, yet the trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate, and further subject to the payment of Rs. 15,000/- to Inderjit Singh and Rs. 10,000/- to Harpreet Kaur, son and grand-daughter of the complainant, respectively.

(HARNARESH SINGH GILL)
JUDGE

28.06.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No