

In the High Court of Punjab and Haryana at Chandigarh

232

CRM-M-33750-2021 (O & M)
Date of Decision: November 23, 2021

RAJWINDER SINGH @ REETU

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Munish Raj Chaudhary, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.312 dated 15.06.2020, under Sections 302 and 34 IPC, registered at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner contends that the sister of the petitioner was married with the son of the complainant and she had been turned out from the house as it is alleged that her husband was allegedly consuming intoxicant substances. The deceased is the father-in-law of the sister of the petitioner. The 02 injuries which the deceased had suffered were on his left leg and right foot with a spade. The petitioner has been attributed a spade blow on the right foot which is reflected as injury No.2 in the postmortem report. This injury was a lacerated wound .5 cm x .5 cm on the toe of the right foot. He, therefore, contends that it would be debatable as to whether offence under Section 302 or even under 304 IPC would be made out. He also contends that the altercation took place due to the matrimonial dispute. The petitioner is 30 year

old and is the sole bread winner of his family which comprises his wife and 02 minor daughters. He does not have any criminal antecedents. He is in custody for over 01 year and 05 months since his arrest on 15.06.202. He further contends that co-accused Mandeep Kaur has been granted regular bail by this Court in CRM-M-22961-2021 on 29.06.2021. He also contends that the trial has come to stand still due to Covid-19 Pandemic.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 01 year and 05 months. He upon instructions from ASI Balwinder singh states that all the prosecution witnesses have been examined and statement of the petitioner under Section 313 Cr.P.C. is stated to be recorded.

Heard.

In view of the above, especially when the petitioner is in custody for over 01 year and 05 months, injury is attributed on the foot of the deceased, co-accused has been granted bail, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

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

(ANUPINDER SINGH GREWAL)
JUDGE

November 23, 2021
A.Kaundal

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