

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

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**CRM-M-31589-2020
Decided on : 12.01.2021**

Jagga Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. N.S. Kamboj, Advocate
for the petitioner(s).

Mr. H.S. Sitta, AAG, Punjab
assisted by ASI Karamjeet Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 108, dated 27.12.2019, under Sections 324, 323, 148, 149 IPC (Sections 326, 325 IPC added later on vide rapat No. 18, dated 06.04.2020), registered at Police Station Sadiq, District Faridkot.

In compliance of the order dated 16th October, 2020, of this Court, the State has placed on record the short reply by way of affidavit of Satvinder Singh Virk, PPS, DSP, Sub Divn. Faridkot, including the MLR of the injured/complainant Gurbachan Singh, wherein, two injuries have been depicted on the person of the injured/complainant. As per MLR, injury No.1, which the injured/complainant is stated to have suffered is fracture on the left temporal and parietal bones, which was allegedly inflicted by the present petitioner. The said short reply is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Learned counsel appearing on behalf of the petitioner has reiterated

that it is a case of version and cross-version, wherein, the petitioner too suffered the grievous injuries on his person. In support of his contention, he has referred to Annexure P-7, which is MLR of the petitioner. As per the MLR, the petitioner too suffered a lacerated wound of size 1.5X0.5 cm placed on frontal region of head in mid-line 7 cm above medial end of eyebrow with fresh bleeding.

Learned counsel for the petitioner has further submitted that the petitioner has been in custody since 21st September, 2020 and only challan has been presented till date. Hence, there is no likelihood of the trial concluding anytime in the near future.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Karamjeet Singh, has submitted that the delay in conclusion of the trial has been on account of the outbreak of pandemic COVID-19. However, he has not been able to controvert the submissions made by learned counsel for the petitioner with respect to the petitioner too having received injuries in the said occurrence.

Heard.

In view of the submissions made by learned counsel for the parties, 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 as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 12, 2021

J.Ram

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