

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-35068-2020
Decided on : 11.02.2021

Rajinder Kumar @ Bittu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.K.Choudhary, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.50 dated 01.06.2019 registered under Sections 307, 326, 323, 324, 325, 506, 148, 149 IPC, 1860 (Section 450 IPC added later on) and Section 452 IPC deleted at Police Station Division No.II, District Pathankot.

Learned counsel for the petitioner inter alia contends that the injury attributed to the petitioner is simple in nature with the iron rod on the injured complainant. He further submits that the petitioner has been in custody since 06.02.2020 and prosecution evidence has not yet commenced. Hence, there is no likelihood of the trial concluding in the near future. It has also been contended that the co-accused, who was attributed grievous injury, has since been extended the concession of anticipatory bail by this Court vide order dated 20.09.2019 (Annexure P-7).

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from SI Harjinder Singh

has submitted that the prosecution evidence is likely to commence on the next date of hearing. She has not been able to controvert the factum of simple injury having been attributed to the petitioner with the iron rod.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 06.02.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

11.02.2021
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No