

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021/09/09 15:33
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CRM-M-36974-2020
Date of decision : 8.9.2021

Sewa Singh

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Raman Goklaney, Advocate
for petitioner (s).

Ms. Monika Jalota, Senior DAG Punjab.

(Through Video Conferencing)

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HARINDER SINGH SIDHU, J.

This is petition filed under Section 439 C.P.C. for grant of regular bail in FIR No. 88 dated 8.8.2020 registered under Sections 307, 324, 323, 341, 506, 148, 149, 188, 269 IPC at Police Station City Zira, District Ferozepur.

FIR was registered on the complaint of one Harpreet Singh who stated that on 7.8.2020, he alongwith his friend Saurav Sharma was going to his house. They were on a motorcycle. When they reached near Nehar Wali Basti, then at about 10/11 pm, he saw Markas Masih alias Massa, Sewa Singh (petitioner), Phoola Singh, Shubham Bhatti and 3-4 unknown persons were standing on the road. They forcibly stopped the motorcycle of complainant. Markas Masih alias Massa raised a lalkara that complainant be taught a lesson for quarreling with them. Markas Masih alias Massa inflicted 2 kapa blows which hit on the left and right side of head of complainant. Petitioner gave a kapa blow on the back side of head of complainant. Shubham Bhatti inflicted baseball blow which hit on the left hand finger of complainant. Phoola Singh inflicted baseball blows which hit on left leg and left foot of complainant. Thereafter, the complainant fell on the road. His friend Saurav Sharma tried to save him. The accused inflicted injuries on Saurav Sharma as well. On noise being raised, accused fled away from spot.

As per MLR of complainant, he has suffered 6 injuries whereas as per MLR of Saurav Sharma, he has suffered 3 injuries. The petitioner is alleged to inflicted injury with a kapa on the back side of head of complainant.

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Learned counsel for petitioner has argued that there is no opinion as said injury was grievous or dangerous to life. The petitioner is in custody since 8.8.2020. The investigation in case qua petitioner is complete and challan was presented on 4.11.2020. Thereafter, the trial has not made any headway because of COVID 2019 pandemic.

In view thereof, no useful purpose would be served by keeping the petitioner behind bars. Hence, petition is allowed. Petitioner Sewa Singh is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

8.9.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No