

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 40858 of 2020

Date of Decision: 03.3.2021

Jaspal Singh @ Nikka

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. P.K.S.Phoolka, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 175 dated 17.8.2020 under Sections 341, 307, 395, 397, 379-B IPC registered at Police Station Canal Colony, Bathinda, District Bathinda.

Learned counsel for the petitioner submits that the petitioner has not been named in the present FIR and has been falsely implicated in the present case. Initially, the FIR was registered against unknown persons and later on, name of the petitioner was indicted in the present case on the basis of supplementary statement of the complainant. Learned counsel further submits that the alleged injury is on the little finger of the left foot of the complainant, which is on the non-vital part of the body and no specific role or injury has been attributed to the petitioner. He further submits that there is a delay of two days in lodging the present FIR and the petitioner has been in custody since 20.8.2020. Learned counsel further submits that

co-accused Vijay Kumar and Mandeep Kumar have been granted regular bail by this Court vide orders dated 24.11.2020 and 01.12.2020, respectively and co-accused Kulwinder Singh @ Kakku has been granted regular bail by the Additional Sessions Judge on 15.12.2020 and the case of the petitioner is on similar footings.

Learned State counsel submits that though the injury is on the little finger of the left foot of the complainant yet the same has been declared grievous in nature. He further submits that in the present case, challan was presented on 07.10.2020 and out of 17 prosecution witnesses, none has been examined till date.

The petitioner has been in custody since 20.8.2020. Co-accused Mandeep Kumar and Vijay Kumar have already been granted regular bail by this Court. In the present case, challan was presented on 07.10.2020 and out of 17 prosecution witnesses, none has been examined so far. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

March 03, 2021
Gurpreet

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