

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

**CRM-M-42956-2020
Date of decision-04.01.2021**

Subjant Singh

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gursimran Singh Madaan, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.110 dated 24.11.2019 registered under Sections 302, 307, 323, 325, 341, 148 and 149 Indian Penal Code, 1860 at Police Station Rori, District Sirsa. The petitioner is in custody since his arrest on 22.12.2019.

The FIR was registered on the statement of Ranjit Kaur wherein she has stated that on 21.11.2019, her son Sukhman Singh and Lovepreet Singh went to the house of her Aunt at Muktsar. Thereafter on dated 22.11.2019, she came to know that her son suffered injuries on feet, left hand and head, who was admitted at Neuro Care Hospital, Sirsa. She went there and found her son unconscious, who was unable to speak. She further stated that Lovepreet told her that on the intervening night of 21/22.11.2019 at about 3.00/4.00 a.m., he and Sukhman went to the house of Murti on their motorcycle. Janta Singh s/o of Uggar Singh and Subjant Singh alongwith 3-4 persons stopped them and started fighting with them

and hit with a wooden danda and he also got injury on his foot. According to

the complainant, Janta Singh, Subjant Singh alongwith unidentified persons gave injuries to her son Sukhman Singh and Lovepreet Singh, because Sukhman Singh was having love affair with the daughter of Janta Singh. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that as per the prosecution, the petitioner gave fist and slap blows to victim Sukhman Singh who had received four injuries. According to him, the injuries were caused by sticks and dandas by the other co-accused and the petitioner has been indicted falsely being brother of Janta Singh, whose daughter was having love affair with the victim. He has further submitted that co-accused of the petitioner, namely, Gurmail Singh @ Gelli has been released on regular bail by this Court vide order dated 17.11.2020 (Annexure P-8). According to him, the alleged occurrence took place on 22.11.2019 and the victim died after one month on 20.12.2019, after his discharge from the hospital and the cause of death described is 'Septicemia'. He prays that the petitioner be released on bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Bhupinder Singh has opposed the prayer on the ground that the petitioner was member of the unlawful assembly and participated in the crime. He on instructions has apprised the Court that the investigation of the case is complete as the final report was filed on 19.03.2020, however, charges are yet to be framed against the accused persons.

After hearing the learned counsel for the parties, this Court finds that the petitioner was arrested on 22.12.2019 and charges in the case are yet to be framed. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial.

co-accused has already been released on regular bail, therefore, the further detention of the petitioner behind the bars may not serve any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

04.01.2021

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Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

(MANOJ BAJAJ)
JUDGE

No
No