

**In the High Court of Punjab and Haryana at Chandigarh**

**229**

**CRM-M-10968-2021 (O & M)**

**Date of Decision: September 30, 2021**

**JASWINDER SINGH**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr.Achin Gupta, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Amninder Singh Sekhon, Advocate for the complainant.

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**ANUPINDER SINGH GREWAL, J (ORAL)**

The petitioner is seeking regular bail in FIR No.137 dated 25.08.2019, under Sections 302, 307, 323, 34 IPC and Sections 25/27 of the Arms Act, 1959 (Section 27 of the Arms Act deleted and Section 30 of the Arms Act, 1959 added later on), registered at Police Station Sadar Faridkot, District Faridkot.

Learned counsel for the petitioner contends that it is alleged that the petitioner had given a 'gandali' blow on the right bicep of the injured Shingara Singh. The MLR indicates that the injured had complained of pain in the back of right arm and there was no external injury. No injury is attributed to the petitioner on the deceased. The petitioner is about 60 year of age and is in custody for over 02 years. The son of the petitioner, who is stated to have caused the gun shot injuries, is in custody. The incident is outcome of a sudden quarrel with regard to the passage in the agricultural fields. The petitioner does not have any criminal antecedents.

Learned State counsel has filed custody certificate which indicates

that the petitioner is in custody for 02 years and 27 days.

Learned counsel for the complainant, however, contends that the petitioner was present at the place of occurrence and had raised lalkara. At his lakara, his son had fired shots at the deceased and, therefore, the petitioner is not entitled to the concession of regular bail. He further contends that he has an apprehension that in the event of the release of the petitioner, he may unduly delay the trial.

Heard.

It is manifest that no injury to the deceased is attributed to the petitioner. The petitioner had caused a 'gandali' blow on the right bicep of the injured Shingara Singh. The MLR indicates that the injured had complained of pain in back of right arm and there was no external injury. The petitioner is 60 year of age and is in custody for over 02 years.

In view of the above, especially when the petitioner, who is 60 year of age, is in custody for over 02 years, he does not have criminal antecedents, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, the petitioner shall not try to delay the trial.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**September 30, 2021**  
**A.Kaundal**

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