

Sr. No. 202-A

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

**CRM-M-3079 of 2020 (O&M)
DATE OF DECISION : 16.09.2020**

Ajit Singh & Anr.

...Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vivek Salathia,, Advocate,
for the petitioners.

Mr. Luvinder Sofat, AAG Punjab.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. Petitioners seek regular bail in FIR No. 119 dated 22.06.2019, registered under Sections 395, 447, 511, 427, 506, 186, 148 and 149 IPC, Police Station Ajnala, District Amritsar Rural.

2. FIR in this case was registered on the basis of complaint of Vijay Kumar, wherein he apprised the police that he is having dispute with the unauthorized occupants of his land and possession thereof has been delivered to him pursuant to the directions of this Court and they have harvested the land. Security has also been provided to them. However, when he went to his fields, then he noticed that a mob had gathered there and were trying to destroy his crop. He tried to stop them, but to no avail. Paramjit Singh, Malkit Singh, Sarup Singh, Bira Singh, Pala Singh, Balwinder Singh, Labha Singh, Sukha Singh, Munsa Singh, Binder Singh along with their

wives and 20/25 unidentified persons destroyed his crop with the help of tractors. They tried to snatch the guns of security guards and have stolen their articles. The petitioners were arrested on 26.10.2019 and are in custody since then.

2. Learned counsel submits that there is no specific role attributed to the petitioners. According to him, the dispute between the parties is civil in nature and petitioners have unnecessarily been dragged in criminal case. He further submits that petitioners are in custody for about eleven months. According to him, investigation of the case is over and challan has been filed, but there is no headway in the proceedings due to Covid-19 pandemic and trial will take long time to conclude.

3. Learned State counsel, on the other hand, opposes the bail plea. He submits that petitioners and their accomplice have not only stolen the articles, but the crop sown by them has been destroyed. He admits that investigation is over and challan has been filed, but there is no headway in the trial due to Covid-19 pandemic.

4. The petitioners are in custody since 26.10.2019. The allegations against the petitioners have to be adjudicated after the trial. At this juncture, I am of the opinion that no useful purpose would be served by keeping petitioners in custody any more, especially when investigation is over and trial is not likely to conclude anytime soon in view of current pandemic scenario. The Courts are currently working with restrictions due to Covid-19 pandemic and are taking up only urgent matters.

5. Taking wholesome view of the matter and without expressing any opinion on the merits of the case, the petitioners are admitted to bail on

their furnishing bail bonds and surety bonds to the satisfaction of concerned
Chief Judicial Magistrate/ Duty Magistrate, as the case may be.

6. Petition stands allowed accordingly.

September 16, 2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No