

Sr. No. 202

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

**CRM-M-3472 of 2020 (O&M)
DATE OF DECISION : 16.09.2020**

Ajit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

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

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

ARUN MONGA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No. 120 dated 13.07.2018, registered under Sections 379, 427, 506, 148 and 149 IPC, Police Station Ajnala, District Amritsar Rural.

2. FIR in this case was registered on the basis of complaint of Ramesh Kumar, wherein he apprised the police that civil dispute is going on in respect of land falling in rectangle No. 19, 21 and 22 and possession thereof has been delivered to him pursuant to the directions of this Court. However, on 21.06.2018 Tara Singh, Malkit Singh, Paramjit Singh, Sarup Singh, Ajit Singh(present petitioner), Sardool Singh, Kulwinder Singh, Balwinder Singh, Labha Singh, Sukha Singh, Pinder Singh, Satpal Singh, Pritam Singh, Beera Singh, Bau Singh, Sukhdev Singh, Dalbir Singh, Pala Singh, Jarnail Singh came to his land and illegally harvested the maize crop

sown by him of approximate value of Rs.90,000/- and sold the same in market. Their accomplice Tara Singh and Labh Singh damaged the remaining crops of the value Rs.1,65,000/-. When complainant confronted them, they criminally intimidated him. FIR was registered. The petitioner was arrested on 25.10.2019 and is in custody since then.

2. Learned counsel submits that there is no specific role attributed to the petitioner. According to him, the dispute between the parties is civil in nature and petitioner has unnecessarily been dragged in criminal case and there has been inordinate delay in registration of the FIR. He further submits that petitioner is 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 petitioner and his accomplice have not only stolen the crops sown by the complainant, but major portion of his cultivation 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 petitioner is in custody since 25.10.2019. The allegations against the petitioner have to be adjudicated after the trial. At this juncture, I am of the opinion that no useful purpose would be served by keeping petitioner 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 petitioner is admitted to bail on his 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