

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

**CRM-M No.4593 of 2020 (O&M)
Date of Decision.22.07.2020
(Heard through VC)**

Sarabjit Singh @ Sarba

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Amrinder Pratap Singh, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

-.-

JAISHREE THAKUR J. (ORAL)

CRM No.16064 of 2020

Prayer in the application is for preponment of the bail application, which is now listed for 04.09.2020.

With the consent of both the parties, the application is allowed and hearing of the main petition is preponed for today itself.

CRM-M No.4593 of 2020

This is a petition that has been filed for grant of regular bail in case FIR No.43 dated 17.05.2018 under Sections 307, 452 IPC and Sections 25/54/59 of Indian Arms Act, 1959 registered at Police Station Mehna, District Moga.

Counsel for the petitioner herein would contend that the petitioner has falsely been implicated in the instant case and he is in custody since 28.05.2018. The investigation is complete and the challan has already been presented. Moreover, the complainant has also been examined. The trial is likely to take some time, therefore, no useful purpose would be

served by keeping the petitioner behind the bars.

Learned counsel appearing for the respondent-State, on instructions from ASI Naib Singh, opposes the regular bail while contending that no ground is made out for granting concession of regular bail. However, he does not dispute the factum of examination of the complainant.

I have heard learned counsel for the parties.

Keeping in view the fact that the investigation is complete and the challan has already been presented, coupled with the fact that the trial is likely to take some time to conclude as due to COVID-19 situation, Courts are not working at their full strength and not taking up regular hearing matters, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

July 22, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No