

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

CRM-M-12075 of 2020.

Decided on:- May 11, 2020.

Sharanjit Singh @ Sharan.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Vivek Singla, Advocate
for the petitioner.

Mr. Gaurav Dhuriwala, Sr. D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed present petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.4 dated 03.01.2020 under Sections 307, 506, 148 and 149 IPC as well as under Section 25/27 of the Arms Act, 1959 registered at Police Station Sadar Amritsar, District Police Commissionerate Amritsar.

The aforesaid FIR was registered at the behest of complainant Kulwinder Singh, who is uncle of injured Atinderpal Singh @ Honey.

Learned counsel for the petitioner submits that there is no allegation against the petitioner in the whole FIR and he has been named at a later stage. There is no attribution against the petitioner as regard the use of fire arm. The petitioner is in custody since 07.02.2020. The Challan has already been presented in the case on 30.04.2020.

Learned State counsel is fair enough to inform that though there is no allegation against the petitioner in the FIR, but his name has been cropped up during the course of investigation.

I have heard learned counsel for the parties.

The petitioner is in custody since 07.02.2020. The trial is not likely to be concluded in the near future. The petitioner has not been named in the FIR as his name has been added at a subsequent stage. Therefore, considering the fact that there being no allegation against the petitioner in the FIR, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

It is made clear that the petitioner shall be released after complying with the administrative instructions/guidelines issued by the government from time to time in view of outbreak of COVID-19, including maintaining social distancing and preventing community transmission.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

May 11, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No