

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.12090 of 2020
Date of Decision: May 20, 2020

Paramveer Singh alias Bhangu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Chopra, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Paramveer Singh alias Bhangu has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.0134 dated 19.12.2019, under Sections 392, 394, 397, 399, 402, 411 IPC and 25/54/59 Arms Act, 1959, registered at Police Station, Sanaur, District Patiala, pending trial. He is in custody since his arrest on 18.12.2019.

As per the FIR, on 19.12.2019 ASI Gurdeep Singh along with other police officials was present opposite Gurudwara Nanaksar Sahib, Ishwar Nagar, Devigarh Road, Patiala in connection with checking of bad elements, where he received a secret information that many persons including the petitioner armed with deadly weapons were sitting in a vacant plot and were planning to commit a dacoity. On receipt of the information, raid was conducted at the indicated place and all the accused persons

mentioned in the FIR were arrested. During investigation, one Hathora along with Rs.1,00,000/- cash was recovered from the petitioner.

Learned counsel for the petitioner contends that as per the prosecution, the petitioner along with others was preparing to commit dacoity. He submits that except for the present FIR, petitioner was not involved in any other case. However, after his arrest in the present case, petitioner was also indicted in case FIR No.0241 dated 06.12.2019, under Sections 457 and 380 IPC, registered at Police Station Pasyana, District Patiala (Annexure P-4). He submits that the petitioner may be granted the concession of regular bail during the pendency of the trial.

On the other hand, learned State counsel, on instructions, has opposed the prayer on the ground that the petitioner was armed with hammer (Hathora) and a sum of Rs.1,00,000/- was recovered from him. However, it is not disputed that the investigation of the case is complete and the challan was filed on 16.03.2020. He submits that there are total thirty witnesses, who are to be examined on behalf of the prosecution.

At this stage, learned counsel for the petitioner submits that the trial is likely to consume considerable time. He has further invited the attention of the Court to the order passed by the Additional Sessions Judge, Patiala (Annexure P-5), whereby it is noticed that the petitioner is involved in this occurrence only, whereas his co-accused are involved in number of other cases.

After hearing the learned counsel for the parties, considering the custody of the petitioner since 18.12.2019 and the fact that the trial is likely to consume considerable time in view of the outbreak of global pandemic, namely, COVID-19 in the region and State Governments and

District Administration have imposed various restrictions to curb its spread, this Court is of the opinion that further custody of petitioner behind the bars may not be necessary.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Patiala.

The petition is allowed.

May 20, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No