

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-13084-2020(O&M)****Date of decision: 14.07.2020****Virpal Singh****....Petitioner****V/s.****State of Punjab****.....Respondent****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. C.S. Rana, Advocate for the petitioner.

Mr. S.P.S. Tinna, Addl. A.G., Punjab.

Ritu Bahri, J. (Oral)

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case F.I.R. No. 13 dated 31.01.2019 under Sections 394, 452, 336, 148, 149 and 34 of Indian Penal Code, 1860 and 25/27 of Arms Act, 1959 registered at Police Station Ajitpal, District Moga.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case as the petitioner has not been named in the FIR in question. He submits that petitioner is in custody for the last one year and three months. He further submits that the similarly situated co-accused i.e. Gurwinder Singh, Sukhjinder Singh @ Kaka and Gursimrat Singh @ Simmu have already been granted regular bail vide orders dated 13.01.2020 passed in CRM-M-46309-2019 (Annexure P-1), 14.02.2020 passed in CRM-M-2162-2020 (Annexure P-2) and order dated 19.05.2020 passed in CRM-M-2730-2020.

Learned counsel for the State while referring to the order dated 04.05.2020 (Annexure P-3) contends that in that case the petitioner had not been identified.

A perusal of the order dated 13.01.2020 (Annexure P-1) shows that the complainant had identified three accused i.e. Vicky, Sukhjinder Singh @ Kaka and Gursimrat Singh.

As per the custody certificate, apart from the present case, trial is pending in FIR No. 19 dated 19.01.2019 under Sections 336, 506, 148, 149 IPC and 25 of Arms Act registered at Police Station Sidhwan Bet. District Ludhiana and he has been released on bail on 11.10.2019 as per the order passed by the Ld. Court of Sh. Harjinder Singh JMIC, Jagraon. Besides this case, he is facing trial in two other cases and he has been acquitted in one case.

Keeping in view that regular bail has already been granted to co-accused Gurwinder Singh, Sukhjinder Singh @ Kaka and Gursimrat Singh @ Simmu, and the trial is not likely to conclude in near future, this Court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

Pending application stands disposed of.

14.07.2020**Divyanshi****RITU BAHRI
(JUDGE)****Whether speaking/reasoned:****Yes/No****Whether reportable:****Yes/No**