

CRM-M-13907-2020

Date of decision : June 17, 2020

Dilraj Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Raman Mohinder Sharma, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of the pandemic, COVID-19.

The petitioner prays for bail pending trial in FIR No. 134 dated 19.12.2019 under Sections 392, 394, 397, 399, 402 IPC registered at Police Station Sanaur, District Patiala.

It is submitted that the petitioner is similarly situated as the co-accused Paramveer Singh alias Bhangu who has been afforded the concession of bail pending trial on 20.05.2020 in CRM-M-12090-2020. A copy of order dated 20.05.2020 is attached as Annexure P2 with this writ petition. It is submitted that the present petitioner has also been in custody since 20.12.2019. It is submitted after the petitioner was arrested in the present FIR, he was inculpated in two more FIRs i.e. FIR No. 77 dated 12.10.2019 and FIR No. 241 dated 06.12.2019 which had been registered against unknown persons. Learned counsel for the petitioner seeks parity with Paramveer Singh alias Bhangu and it is prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions from ASI Gurdeep Singh, submits that a *kirpan* was recovered from the petitioner at the spot and a sum of ₹50,000/- from his residence on his disclosure

statement. It is, however, verified that the final report under Section 173 Cr.P.C./challan stands presented and there are thirty (30) prosecution witnesses to be examined. Learned counsel for the State further submits that the co-accused Paramveer Singh alias Bhangu was involved in only one case apart from the present FIR whereas the present petitioner is involved in two other FIRs apart from the present case. It is, however, not denied by learned counsel for the State that the petitioner has been inculpated in both the said FIRs after his arrest in the present case.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail. I do not find any ground to deny the concession of bail pending trial to the petitioner especially when the same has been extended to similarly situated co-accused Paramveer Singh alias Bhangu.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court/Duty Magistrate, Patiala.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

June 17, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No