

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

**CRM-M-14915-2020**

**Date of decision : 29.06.2020**

Bhupinder Singh @ Bhinda

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. HPS Sidhu, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

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**ALKA SARIN, J. (ORAL)**

Heard through video conferencing.

This is a petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.64 dated 24.06.2018 under Sections 379-B and 34 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act, 1959 (Section 395 and 411 of IPC was added later on and Section 379-B of IPC was deleted), registered at Police Station Sadar Moga, District Moga.

It has been contended by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. He has further relied upon the cross-examination of the complainant wherein the complainant has categorically admitted that he had not seen the petitioner at the spot on the day of the incident and that he had seen the petitioner for

the first time in the Court. He has further submitted that similarly situated co-accused, Arshdeep Singh @ Arsh, had already been granted regular bail by this Court vide order dated 19.10.2019 passed in CRM-M-33203-2019.

Per contra, learned State counsel, on instructions from ASI Gurjan Singh, is not able to deny the fact that similarly situated co-accused had been granted regular bail by this Court vide order dated 19.10.2019. He has further not denied that the complainant in his cross-examination has admitted that he had not seen the petitioner at the spot on the day of the incident.

In view of the above and without expressing any opinion on the merits of the case and considering the fact that conclusion of the trial would take some time, the present petition is allowed and the petitioner shall be released on bail on furnishing bail and surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

**( ALKA SARIN )**  
**JUDGE**

**29.06.2020**

Yogesh Sharma

Whether speaking/reasoned      **Yes/ No**

Whether Reportable                      **Yes/ No**