

Sr. No.210

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

CRM-M-15731 of 2020 (O&M)

Date of Decision: 03.07.2020

Bhupinder Singh@ Bhinda

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Neeraj Jain, Advocate,
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 148 dated 20.06.2019, registered under Sections 379-B read with Section 34 IPC, to which Sections 392, 411 and 451 IPC were added lateron, Police Station Division No.6, Ludhiana.

2. As per allegations in the FIR, unknown assailants looted mobile phone and Rs.2.5 lacs from the complainant on the gun point. Later on, petitioner and his accomplice were arrested.

3. Learned counsel for the petitioner submits that the petitioner was not named in the FIR and there is no legal admissible evidence against him and nothing was recovered from him. He submits that co-accused Gurwinder Singh, from whom recovery of Rs.50,000/- was effected, has been granted benefit of bail by this Court vide order dated 16.11.2019, as modified on 19.02.2020(Annexure P-3) passed in CRM-M-47315 of 2019 and on the ground of parity petitioner is entitled to the same relief. He submits that

petitioner is in custody since 16.11.2019, investigation is complete and challan has been filed.

4. On the other hand learned State counsel opposed the bail plea. She submits that the petitioner is involved in four more cases of similar nature and is not entitled to be released on bail.

5. Having heard learned counsel for the petitioner and learned State counsel, I am of the opinion that petitioner is entitled to be released on bail on the ground of parity. A perusal of order dated 16.11.2019 passed in CRM-M-47315 of 2019 would show that co-accused Gurwinder Singh from whom the recovery of part of looted amount Rs.50,000/- was effected and was having three more cases against him, was released on bail by this Court and on the ground of parity, the petitioner is entitled to the same relief. The investigation of the case is already over and no useful purpose would be served by keeping the petitioner behind the bars especially when the trial of the case would not likely to conclude soon in the present scenario of Covid-19 pandemic.

6. In the circumstances, without expressing any opinion on the merits of the case, the petition is allowed. Petitioner shall be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, Ludhiana, as the case may be.

(ARUN MONGA)
JUDGE

03.07.2020
Jiten

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No