

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

**CRM-M-16416 of 2020 (O&M)
DATE OF DECISION : 14.07.2020**

Amandeep Singh @ Bawa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Amandeep Singh, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

The petitioner is seeking regular bail in case FIR No.127 dated 27.06.2019 under Sections 307, 353, 332, 186, 224, 436, 427, 148, 149 IPC registered at Police Station Division No.7, District Ludhiana.

2. Admittedly, the aforesaid offences have alleged been committed by group of 23 persons who were all inmates of jail at the relevant point of time. While petitioner was in jail, it is stated that one of the inmates died due to negligence on the part of the jail authorities. In that background an uprising and mass protest took place in jail which has resulted the FIR against 23 inmates. The petitioner, un under trail, is one of them.

3. Learned counsel for the petitioner contends that petitioner was not named in the FIR and no specific injury has been attributed to him. He further submits that co-accused have already been granted bail by this Court vide orders contained at Annexure P-2 (colly.) He further submits that the petitioner

is in custody since 27.06.2019. The investigation is complete. Challan has already been presented and charges have also been framed.

4. Notice of motion.

5. Mr. Rana Harjasdeep Singh, DAG, Punjab, who has joined the proceedings on service of advance copy of the petition, appears and accepts notice on behalf of State of Punjab.

6. On a query of the Court, learned State counsel does not controvert that co-accused have been accorded the concession of bail by this Court vide orders contained at Annexure P-2 colly. That apart, I am of the view that neither the petitioner is named in the FIR nor any specific role has been attributed to him.

7. It seems that during the chaos caused by general protest of the inmates, the petitioner was also implicated in the same even though no role is directly attributed to him.

8. Be that as it may, role of the petitioner would be adjudicated by the trial Court in due course. Due to covid/pandemic conditions, trial is not likely to commence or conclude any time soon. On the ground of parity itself, petitioner is entitled to the concession of bail. No useful purpose would be served by keeping the petitioner behind the bars since investigation is already over and challan has already been filed. The petitioner is stated to be in custody since 27.06.2019.

9. In the premise, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Illaq Magistrate/ Duty Magistrate.

10. Disposed of.

(ARUN MONGA)
JUDGE

JULY 14, 2020
vandana

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