

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
205 (PROCEEDINGS THROUGH V.C.)

CRM-M-17053-2020

Date of decision: 13.08.2020

SHAMSHER SINGH @ SHERU

...PETITIONER

V/S

STATE OF PUNJAB

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

Mr. B.S.Sewak, Addl. A.G. Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No. 3 dated 05.01.2020 under Sections 399/402/457/380/511/427/398/458 IPC, 1860 and 25 of Arms Act, 1959 registered at Police Station Jandiala, Amritsar Rural, District Amritsar.

It is the contention of the learned counsel for the petitioner that the petitioner was arrested on 10.01.2020 and is in custody since then. Assertion has been made that the petitioner was although named in the FIR but that is on the basis of the disclosure statement of the co-accused. In the CCTV footage also, the petitioner is not seen. He, therefore, prays for the concession of bail as there is no other case against the petitioner except for the present one. Assertion has also been made that the petitioner is in custody for more than seven months and the trial is not likely to conclude in near future.

On the other hand, learned counsel for the State submits that although the petitioner does not figure in the CCTV footage but he was in constant touch with the co-accused at the time when the offence was being executed. He, along with his co-accused Vikramjit Singh @ Vicky, was sitting on the motorcycle nearby and, therefore, was directly involved in the matter. The concession of bail, therefore, be not granted to the petitioner. However, he could not dispute the fact that there is no other case against the petitioner except for the present one.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner was not captured in the CCTV footage, which has been reported from the camera at the site, and also that he is in custody for more than seven months, the trial is not likely to conclude in near future and there being no other case against the petitioner, the present petition is allowed.

Petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate, Amritsar.

Any observation made herein above shall have no bearing on the merits of the case during trial in any manner.

August 13, 2020

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No