

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

**CRM-M- 17651 of 2020 (O&M)
DATE OF DECISION : 22.07.2020**

Titu Singh @ Davinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Suveer Sheokand, Additional A.G., Punjab.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 305 dated 29.12.2018, registered under Sections 302, 182, 120-B read with Section 34 IPC, Police Station Jandiala, District Amritsar.

2. FIR in this case was got registered by Jasmer Singh, wherein he apprised the police that on 29.12.2018 he along with his brother-in-law Tejinder Singh(deceased) and Titu Singh (petitioner herein) were going on a motor cycle for canvassing in the village. On the way Harjinder Singh, Jaspal Singh and Kuldeep Singh along with some unidentified persons opened attack and murdered Tejinder Singh on account of party faction in the village. During investigation, one Sawinder Singh, Ex-Sarpanch of the village informed the police about extra judicial confession having been made by Jasmer Singh, in presence of one Hira Singh, admitting their own involvement in the murder of

his own brother-in-law Tejinder Singh along with Titu Singh (petitioner) and Jagir Singh. Accordingly, Jasmer Singh, Jagir Singh and present petitioner were arrested on the charges of murder of Tejinder Singh and for giving false information to the police.

3. Learned counsel for the petitioner submits that the facts have been twisted by the police in connivance with the accused named in the FIR. He submits that there is no legally admissible evidence against the petitioner. According to him, material witnesses of the prosecution have been examined, but there is no headway in the trial due to Covid-19 pandemic situation, where the Courts are taking only urgent matters. He further submits that co-accused Jasmer Singh and Jagir Singh have already been enlarged on bail by this Court by virtue of orders dated 27.05.2020 and 23.06.2020 passed in CRM-M-5904 of 2020 and CRM-M14217 of 2020 respectively and the petitioner is entitled to the same relief, on the ground of parity.

4. On the other hand, learned State counsel opposes the bail plea. However, he admits that co-accused Jasmer Singh and Jagir Singh have been granted the concession of bail by this Court. He also admits that material witnesses have been examined.

5. The petitioner is in custody since 07.01.2019. Co-accused have already been granted the relief of regular bail by this Court. Though material witnesses have been examined, but there is no headway in the trial as the Courts are working with restrictions on account of Covid-19 pandemic and are taking with only urgent matters. In the considered opinion of this Court, the petitioner is entitled to be released on bail on the ground of parity as well.

6. Without expressing any opinion on the merits of the case, 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,
Amritsar, as the case may be.

JULY 22, 2020
Jiten

(ARUN MONGA)
JUDGE

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