

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

**CRM-M No. 17751 of 2020
Date of decision: 13.08.2020.**

Roop Singh Petitioner.

Versus

State of Punjab Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. Dhruv Dayal, Senior DAG, Punjab, for the respondent.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No. 31 dated 30.03.2014, under Sections 302, 392, 506, 148 and 149 of the Indian Penal Code, 1860 ('IPC' - for short), besides Sections 25 and 27 of the Arms Act, 1959 ('Arms Act' - for short) and Sections 341 and 120-B IPC added later on, registered at Police Station Jaitu, District Faridkot.

Learned counsel for the petitioner contends that no specific injury has been attributed to the petitioner in the FIR wherein it is alleged that all the accused came together. He also contends that the petitioner, who is 66 years of age, is in custody for over six years. He also contends that the petitioner is suffering from a heart ailment and has referred to the record of the petitioner's treatment at PGIMER, Chandigarh at Annexure P1. He further contends that the petitioner has been acquitted in FIR No. 43 dated 28.05.2012, under Sections 452, 427, 506, 148 and 149 IPC, registered at

Police Station Jaito, however, he has been summoned to face trial in the other case wherein he is on bail.

Learned State counsel, however, contends that the petitioner has actively participated in the occurrence and, therefore, does not deserve the concession of regular bail. He filed reply by way of short affidavit of Parminder Singh, PPS, Deputy Superintendent of Police, Sub Division Jaitu, District Faridkot, wherein it is mentioned that the petitioner was acquitted in the aforementioned FIR No. 43 dated 28.05.2012 registered at Police Station Jaito, but he has been summoned to face trial in FIR No. 26 dated 09.04.2013, under Sections 307, 323, 148 and 149 IPC, registered at Police Station Jaito. He also filed affidavit of custody which indicates that the petitioner is in custody for over six years, one month and six days.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over six years, the Covid-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

13.08.2020
Ramesh

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