

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206 - CRM-M-20250-2020 (O&M)

Date of Decision: 12.10.2020

Ravinder Singh @ Geju

... Petitioner

VS.

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Fatehjeet Singh, Advocate for the petitioner

Mr. Sukhbeer, Singh, AAG Punjab

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of lockdown due to outbreak of COVID-19 pandemic.

The petitioner Ravinder Singh @ Geju aged 24 years has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.77 dated 10.10.2016, registered under Sections 307, 302, 34, 148 & 149 of Indian Penal Code read with Section 27 of Arms Act, at Police Station Singh Bhagwantpur, District Ropar.

Learned counsel for the petitioner, based on the pleadings, firstly submits that perusal of the FIR would show that Balwinder Singh @ Bhura armed with a gun and his son Khushpreet Singh armed with a Kirpan accompanied by 3-4 other unknown persons, had reached the place of incident. He secondly submits that the incident is stated to be of 09.10.2016. It is submitted that on 11.10.2016, Investigating Officer (who is favouring the complainant party), recorded the statement of one Baljit Singh Chaudhary (who is not stated to be an eye witness). It is urged that the petitioner was not named in the FIR.

On instructions from the police official, learned State counsel

petitioner was declared Proclaimed offender on 12.05.2017 and had surrendered only 23.09.2019. He then submits that the petitioner has been named during investigation and therefore he is entitled to the benefit of bail.

Faced with the situation, learned counsel for the petitioner submits that in fact, charges in this case were framed on 26.11.2019 and there are total of 19 witnesses, out of which, none has been examined till date. He submits that the petitioner has already completed more than one year of custody. Still further, he submits that even as per the allegations mentioned in the challan, no overt act has been alleged against the petitioner except the allegation that he accompanied other co-accused.

Learned counsel for the petitioner further submits that in **CRM-M-29363-2020 (Amritpal Singh @ Mattu vs. State of Punjab)** has already been granted bail by this Court vide order dated 30.09.2020. Counsel then submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

12.10.2020

vishal shonkar

**(Girish Agnihotri)
Judge**

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No