

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

CRM-M-20978-2020 &

CRM-18176-2020

Date of decision: 18.08.2020

GURPAWANDEEP SINGH @ PAWAN BIHARI

...PETITIONER

V/S

THE STATE OF PUNJAB

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sanjeev K. Virk, Advocate,
for the petitioner.

Mr. Harbir Singh Sandhu, Addl. A.G. Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CRM-18176-2020

Application is allowed subject to just exceptions. Filing of
attested power of attorney of the petitioner is dispensed with.

CRM-M-20978-2020

Prayer in this petition is for grant of regular bail to the
petitioner in FIR No. 342, dated 02.08.2016, under Sections 307, 506, 484,
171, 419, 420, 467, 468, 472, 473, 411, 466, 120-B, 148, 149 IPC, 1860
and Section 25 of Arms Act, 1959 registered at Police Station Civil Lines,
Amritsar District Amritsar.

It is the contention of the learned counsel for the petitioner that
the petitioner is not named in the FIR and his name figured on the

disclosure statement of the co-accused, namely, Ranbir Singh @ Rana @ Rana Kandowalia. Assertion has been made that the other co-accused, who were similarly placed as the petitioner, have been granted the concession of bail by this Court. Reference in this regard has been made to the orders dated 19.12.2016, 23.01.2017, 20.12.2017 and 22.11.2019 (Annexures P-2 to P-5 respectively). Petitioner is in custody since 07.09.2018 and only six witnesses have been examined out of total 36 witnesses. The trial is not likely to conclude in near future especially in the prevailing circumstances and thus, the counsel contends that the concession of bail be granted to the petitioner.

On the other hand, learned counsel for the State submits that apart from the present case, there are four other cases registered against the petitioner. He contends that the petitioner has fired at the police party along with others. Therefore, the concession of bail be not granted to him. However, he could not dispute the factual assertions as pointed out by the counsel for the petitioner.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner is not named in the FIR and his name figured on the basis of the disclosure statement of the co-accused and he being in custody for 1 year 11 months and 11 days and the trial is not likely to conclude in near future with only six witnesses out of 36 having been examined, the present application is allowed especially in the light of the fact that the co-accused of the petitioner, who were similarly placed as the present petitioner, have been granted the concession of bail.

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 18, 2020

pj

(AUGUSTINE GEORGE MASIH)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No