

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

**CRM-M No.23645 of 2020 (O&M)
Date of Decision : 29.09.2020**

Manjinder Singh alias Kaka alias Gurjinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mrs. Anupam Bhanot, Advocate
for the Petitioner.

Mr. Ramandeep S. Sandhu, Sr. Dy. Advocate General, Punjab
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

CRM No.20388 of 2020

Allowed as prayed for.

CRM-M No.23645 of 2020

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.172, dated 9th November, 2018, registered under Sections 302, 34 of the Indian Penal Code, 1860 and Sections 25, 27 of the Arms Act, 1959 (offence under Section 201 IPC and Section 30 of the Arms Act added later on) at Police Station Gobindwal Sahib, District Tarn Taran.

2. The Petitioner has remained in custody since 9th May, 2019.

3. Perusal of the FIR (Annexure P-1) goes to show that the Petitioner was armed with a *Dang* when the occurrence took place, but the actual gun-shots which led to the death of the Victim-Manjinder Singh @

Laddi, are imputed to the Petitioner's brother Salwinder Singh @ Raja, who is already in custody.

4. Co-accused, namely Amrik Singh, father of the Petitioner has already been granted Regular Bail by this Court in CRM-M No.6171 of 2020 on 24th September, 2020.

5. It transpires that charges in the case have been framed. However, evidence from the Prosecution Side has not yet commenced although as many as 22 witnesses have been cited in the Challan. Apparently, the trial is not proceeding in the normal course due to prevalence of the Covid-19 Pandemic and is therefore not likely to be concluded within a reasonable forceable future.

6. In the given circumstances, without commenting upon the other merits of the case but considering the limited role attributed to the Petitioner in the FIR as also keeping in view the fact that the trial is likely to take a considerable time to conclude in view of the on-going Covid-19 Pandemic, at this stage, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not justified. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

7. Disposed off.

September 29, 2020

Dpr

(SUDIP AHLUWALIA)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No