

215.

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

**CRM-M-27733-2020**

Date of decision: 03.12.2020

MOHAN @ MOHAN SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

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Present: Mr. Ranbir Singh Sekhon, Advocate,  
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

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**HARI PAL VERMA, J. (Oral)**

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.61 dated 08.07.2019 registered under Sections 302, 341, 34 of IPC at Police Station Sadar Zira, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner is in custody for more than 4 months. The petitioner has earlier approached this Court for grant of anticipatory bail and the same was dismissed as withdrawn, however, with direction to the trial Court to decide the application filed by the petitioner seeking regular bail within a period of 10 days vide order dated 20.07.2020 passed in CRM-M-11818-2020. The petitioner was working in the Cooperative Society and he was found

innocent during investigation, though challan was presented by the police Inspector on 18.07.2019 against the other co-accused Sonu and Sukha.

Learned State counsel has filed the custody certificate, which is taken on record. He does not dispute the custody and the fact that the petitioner was found innocent. However, he submits that the trial Court has summoned the petitioner as an additional accused. Even otherwise he was mentioned as an accused in the initial version on the basis of which FIR was recorded.

I have heard learned counsel for the parties.

There is no dispute that during investigation, initially the petitioner was found innocent and it is on the basis of the statement made by the complainant, the petitioner has been summoned as an additional accused to face trial. Considering the fact that the petitioner is in custody for more than 4 months and trial in the case will take long time, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

**(HARI PAL VERMA)**  
**JUDGE**

03.12.2020  
sanjeev

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|----------------------------|--------|
| Whether speaking/reasoned? | Yes/No |
| Whether reportable?        | Yes/No |