

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-28907-2020

Date of decision: 30.09.2020

Sarwan Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr. H.S. Sitta, Assistant AG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Sarwan Singh, stated to be aged 44 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.31 dated 03.05.2014, registered under Sections 307, 379, 382, 148 & 149 of Indian Penal Code (offences under Sections 326, 324, 323 & 201 of IPC added later on) and Sections 25/27 of Arms Act 1959, at Police Station Harike, District Tarn Taran.

Learned counsel for the petitioner, at the outset submits that co-accused/Avtar Singh @ Jagtar Singh, Kashmir Singh & Angrej Singh, Mukhtar Singh and Lakha singh, have been granted bail by this Court, vide orders dated 12.12.2019 (passed in CRM-M-51732-2019), 02.03.2020 (passed in CRM-M-5324-2020), 15.01.2020 (passed in CRM-M-521-2020) and 03.09.2020 (passed in CRM-M-24739-2020) respectively. The above said orders as annexed with the present petition as Annexures P-1 to P-4 respectively.

Learned State counsel, on instructions from ASI Jaswant Singh, submits that the petitioner was declared proclaimed offender on 30.11.2018. He has thereafter been arrested on 17.07.2020. He submits that in the original challan submitted, there are total of 36 witnesses and none has been examined till date.

Faced with the situation, learned counsel for the petitioner submits that the petitioner was arrested on 17.07.2020. Thereafter, the investigation against the petitioner is complete and the supplementary challan is likely to be presented against him soon.

Faced with the situation, learned counsel for the petitioner 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.

(GIRISH AGNIHOTRI)
JUDGE

30.09.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No