

In virtual Court

CRM-M-31325-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Date of decision: 22.12.2020

1. CRM-M-31325-2020 (O&M)

Shamsher Singh @ Shera

... Petitioner

Vs.

State of Punjab

... Respondent

2. CRM-M-31365-2020 (O&M)

Sandeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. L.S. Sidhu, Advocate  
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

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ARVIND SINGH SANGWAN, J. (ORAL)

CRM-29737-2020 in CRM-M-31325-2020  
CRM-29775-2020 in CRM-M-31365-2020

For the reasons stated in the applications, same are allowed and  
date of hearing is postponed from 10.02.2021 to today.

CRMs stand disposed of.

**CRM-M-31325-2020**

Prayer in both these petitions is for grant of regular bail in FIR No.78 dated 30.06.2020 under Section 395 IPC and Section 25 of Arms Act, registered at Police Station Sadar Moga, District Moga.

Learned counsel for the petitioners relies upon the order dated 23.11.2020 passed in CRM-M-37863-2020, vide which similarly situated co-accused Navjot Singh has been granted the concession of regular bail, by passing the following order: -

*“...Counsel for the petitioner has argued that as per the allegations in the FIR, the complainant stated that when he was present at the shop, 06 persons came in a car out of which 04 persons came to his shop and 02 remained sitting in the car. The boys who entered his shop were having covered face and only one person namely Darshan Singh @ Kala, has not covered his face and those persons snatched articles worth Rs.26,000/- from the complainant.*

*Counsel for the petitioner has further submitted that the petitioner is not named in the FIR and he was later on, nominated in the case on the basis of the disclosure statement of the co-accused Darshan Singh @ Kala. It is further submitted that the petitioner is the first offender and he is not involved in any other case.*

*Counsel for the State has not disputed the factual position but opposed the prayer for bail. Counsel for the State has also filed the Custody Certificate today in the Court and as per the Custody Certificate, the petitioner has undergone the custody of 04 months and 15 days. It is also submitted that the investigation is complete and challan stands presented.*

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*Without commenting anything on merits of the case, considering the fact that challan stands presented; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate... ”*

Learned State counsel has filed the custody certificates of both the petitioners in the Court today and as per these custody certificates, the petitioners are in custody for the last 05 months and 15 days and are not involved in any other case.

Without commenting anything on merits of the case, considering the fact that co-accused of the petitioners has already been granted the concession of regular bail, both these petitions are allowed and the petitioners are directed to be released on regular bail subject to furnishing their bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Both the petitions are disposed of.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

22.12.2020  
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No