

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

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CRM-M No.39070 of 2020

Date of Decision: December 02, 2020

Lovepreet Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR JUSTICE SUDIP AHLUWALIA

Present: Mr. Achin Gupta, Advocate for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

SUDIP AHLUWALIA, J. (Oral)

Case has been taken up through video conferencing in view of the outbreak of Pandemic COVID-19.

2. 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 DDR No.54, dated 19th July, 2020, registered under Sections 307, 323, 427, 188, 34 of the Indian Penal Code and Sections 25, 27 of the Arms Act, 1959 (later on offence under Section 34 of the IPC and Section 27 of the Arms Act, was deleted and Section 325, 148, 149 was added), recorded in case FIR No.86 dated 18th July, 2020, under Sections 307, 323 and 34 of the IPC and Sections 25, 27 of the Arms Act, 1959, at Police Station Sadar Kotkapura, District Faridkot.

3. The Petitioner has remained in custody for more than 4 months since 20.07.2020.

4. After completion of investigation, Challan against him has already been submitted. As such, he is not required for the purpose of investigation.

5. It is highlighted by Ld. Counsel for the Petitioner that although use of firearms has been imputed to his Client but there is nothing on record to indicate that any firearm injury was caused to the Complainant, namely Gagandeep Singh @ Peda in the DDR or any of his associates. On the other hand, firearm injuries were suffered by associates of the Petitioner himself as a consequence of firing at the hands of Gagandeep Singh @ Peda himself, upon the petitioner himself and another person namely Pinder Singh, which fact was specially mentioned in the original FIR No.86 dated 18.07.2020 (Annexure P-1).

6. In this view of the matter, without commenting upon the other merits of the case and 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 called for. 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.

(SUDIP AHLUWALIA)
JUDGE

December 02, 2020
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Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No