

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

**CRM-M No.41051 of 2020
Date of Decision : 15.12.2020**

Jagtar Singh @ Tara

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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

Mr. Bhupender Beniwal, Asstt. Advocate General, Punjab
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in DDR No.54, dated 19.07.2020, under Sections 307/323/427/188/34 of the Indian Penal Code, 1860 (for short, 'the IPC') and Sections 25/27 of the Arms Act, 1959 (Section 34 IPC and Section 27 of the Arms Act, deleted and Sections 325/148/149 of the IPC added later on) in case FIR No.86 dated 18.07.2020 under Sections 307/323/34 of the IPC and Sections 25/27 of the Arms Act, 1959 registered at Police Station Sadar Kotkapura, District Faridkot.

2. The Petitioner has remained in detention for more than 4½ months, since 24.07.2020.

3. After completion of investigation, Challan against him has already been submitted.

4. Co-accused persons namely Bohar Singh *alias* Been and Lovepreet Singh have already been granted Regular Bail by this Court in CRM-M No.37280 of 2020 and CRM-M No.39070 of 2020 on 19.11.2020 and 02.12.2020, respectively.

5. Ld. Counsel for the Petitioner has drawn attention of the Court to the relevant DDR No.54 to submit that the allegation against the Petitioner was of having attacked the Victim Gagandeep Singh with a *Kirpan* like weapon, whereas firearm attack was alleged against co-accused persons namely Bohar Singh *alias* Been and Lovepreet Singh, which was found to be unsatisfactory by this Court, in granting Regular Bail to those co-accused persons.

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.

December 15, 2020

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No