

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-22-2020 (O&M)
Date of decision: 29.05.2020

Gurdeep Singh @Gora

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Gursimran Singh Madan, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Gurdeep Singh@Gora has filed the present petition *inter alia* with a prayer to grant him regular bail in case FIR No.109 dated 28.10.2019 under Sections 286, 188, 427 of IPC and Sections 3, 4, 5 of Explosive Substances Act, 1908, registered at Police Station Division No.1, Jalandhar Commissionerate.

On 26.02.2020 and 18.05.2020, this Court had passed the following orders:-

“Order dated 26.02.2020

Reply, which has already been furnished at the instance of respondent-State, copy thereof has been supplied to learned counsel for the petitioner, who in turn, wants to go

through the said reply and further seeks adjournment to address arguments. Apart from that, learned counsel for the petitioner submits that he would seek instructions from petitioner regarding payment of damages, if any, to the persons whose houses were damaged in the alleged explosion.

Adjourned to 16.03.2020.

Order dated 18.05.2020

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

Learned counsel for the petitioner requests for an adjournment so as to make the payment to the persons, who have suffered loss due to the illegal action of storing explosive substance keeping in view the recommendations of the committee constituted for the said purpose.

Adjourned to 29.05.2020.”

Learned counsel for the petitioner, at the outset submits that drafts were got prepared and all the drafts stood distributed amongst the victims.

The above said fact has not been denied by the learned State counsel, however he submits, on instructions from ASI Gurdeep Singh that he is involved in two FIRs. He submits that challan in the present case has been presented on 27.02.2020. However, due to the present COVID-19 situation no PWs have been examined.

In view of the peculiar facts and circumstance as noticed above, the petitioner is directed to give undertaking in writing before the trial Court/Duty Magistrate that he shall not indulge in any such activity of explosives so as to cause harm to anybody.

Learned counsel for the petitioner, at this stage submits that the explosive license already stands expired and the petitioner has not applied

any such license.

Since the trial is likely to take time and also considering the situation of COVID-19, this Court deems it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

29.05.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No