

204 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CRM-M-2672-2021

Date of Decision: 27.01.2021

ANGREJ SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. C.M.Munjhal, Advocate, for the petitioner.

Mr. S.P.S.Tinna, Additional Advocate General, Punjab.

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VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

In the instant case, the petitioner is seeking regular bail in case bearing FIR No.0012 dated 15.02.2020 under Sections 341,353,186,427,225,148, 149, 307 of Indian Penal Code and Sections 25/27/54/59 of the Arms Act (added later on), registered at Police Station Mamdot, district Ferozepur.

Briefly, as per the version of the prosecution, on 15.02.2020, a police party headed by ASI Sukhdev Raj had arrested Jarman Singh @ Darshan Singh and Harmeet Singh accused in case FIR No.76 dated 08.07.2017 under Sections 307/379/323/324/325/326/148/149 IPC and 25 and 27 of the Arms Act registered at Police Station, Lakho Ke Behram and after effecting their arrest, the police party was proceedings towards CIA Staff, Ferozepur. When they reached in front of main gate of BSF on FF Road, two cars came from behind. The petitioner alongwith 2-3 unidentified persons were travelling in one car and 4-5 unidentified persons were travelling in another car. The police vehicle was stopped and the persons

who were travelling in the two cars got released Jarman Singh @ Darshan Singh and Harmeet Singh accused and had also fired gun shots towards the police party, but the police party succeeded to save themselves. The accused ran away from the spot in the vehicles.

It has been contended by learned counsel for the petitioner that the petitioner is in custody for the last more than 11 months and the challan against the petitioner has been presented. It has been further argued by learned counsel for the petitioner that Harmeet Singh and Jarman Singh @ Darshan Singh, whose escape has been facilitated by the petitioner, have been granted interim pre-arrest bail by the coordinate Bench of this Court in terms of the orders dated 17.12.2020 and 23.12.2020, respectively.

Learned State counsel has not disputed that Harmeet Singh and Jarman Singh @ Darshan Singh have been granted interim bail, but has argued that there are serious allegations levelled against the petitioner which includes firing upon the police party.

At the earlier instance, the bail application of the petitioner was dismissed in terms of the order dated 25.11.2020 primarily on the score that Jarman Singh @ Darshan Singh and Harmeet Singh, whose escape has been facilitated by the petitioner, were still at large. The arrest of both of them has been stayed in the application for pre arrest bail. Furthermore, it is a case of no injury. Though, there are allegations with regard to firing upon the police party to facilitate the escape of two persons who were in custody, but it remains the fact that the petitioner is in custody for the last more than 11 months. Besides, the allegation of firing of gun shots has emerged in the supplementary statement of the complainant. The investigation qua the petitioner is complete, challan has been presented against the petitioner,

conclusion of trial is likely to take some time and no fruitful purpose would be served by detaining the petitioner in further custody.

Keeping in view the aforesaid facts, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, the present petition is allowed and petitioner is directed to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of Chief Judicial Magistrate/trial Court/Duty Magistrate concerned.

27.01.2021  
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(VIVEK PURI)  
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No