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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-3062-2021 (O&M)
Date of Decision: 25.08.2021

Chand Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J.P.S. Brar, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab
assisted by ASI Rajender Kumar.

AVNEESH JHINGAN, J (Oral):

[1] The matter is taken up for hearing through video conference due to COVID-19 situation.

[2] This petition under Section 439 Cr.P.C. is filed seeking regular bail in F.I.R. No. 53, dated 10th March, 2020, under Sections 307/353/186/188/323/324/148/149 of IPC (Sections 107 and 120-B IPC were added later on) and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Sultanpur Lodhi, District Kapurthala.

[3] The brief facts are that police received an information that certain *Nihang Singhs* have raised tents in the fields in front of the stadium in violation of the orders of the Deputy Commissioner, Kapurthala. The police party when reached the spot was attacked by the *Nihang Singhs*. When more police force arrived, *Nihang*

Singhs fled from the spot. From the tents, weapons were recovered.

[4] Mr. J.P.S. Brar, learned counsel for the petitioner submits that petitioner was not apprehended from the spot. He was nominated on the basis of supplementary statement of complainant. The petitioner is in custody since 17th March, 2020, investigation is complete, no recovery is to be made and no injury is attributed to the petitioner.

[5] Learned State counsel opposes the prayer for grant of regular bail.

[6] Considering the custody period and the fact that petitioner was not apprehended from the spot, no specific role was attributed to him, the investigation is complete and conclusion of trial is likely to take time, the petitioner is granted regular bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[7] The petition is allowed.

[8] However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

25th August, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes