

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

CRM-M-3244-2021

Date of decision:02.09.2021

Sonu Singh alias Sona

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sukhjit Singh, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate, by way of an affidavit dated 01.09.2021 of Deputy Superintendent, Central Jail, Faridkot, filed through email, is taken on record.

Status report, by way of an affidavit dated 02.07.2021 of Deputy Superintendent of Police, Dharamkot, District Moga, filed in the Registry, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.143 dated 20.07.2020 registered under Section 392 IPC and Sections 25 and 27 of the Arms Act, 1959 (Sections 397 and 325 IPC added later on) at Police Station Dharamkot, District Moga.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and rather has been indicted in the present case on a disclosure statement of his real brother Amarjit Singh alias Ambu son of Dayal Singh, recorded on 30.10.2020. The petitioner has been in custody

since 30.10.2020. As far as other case pending against the petitioner is

concerned, he stands released on bail. It is further submitted that co-accused Amarjit Singh alias Ambu, on whose statement the petitioner was indicated in the present case, has been granted regular bail by this Court vide order dated 28.07.2021 (Annexure P-6). Thus, the petitioner prays for regular bail on the ground of parity as well.

Learned State counsel, while opposing the prayer for grant of regular bail, does not dispute the custody period of the petitioner. However, he submits that there were six injuries on the person of the complainant and that in the supplementary statement dated 23.07.2020, the complainant had specifically named the petitioner. He further submits that though the challan has been presented, the prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.10.2020. The trial will take time to conclude, especially due to Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars. Moreover, as noticed above, the co-accused has already been enlarged on bail.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

02.09.2021

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No