

**In The High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-5090-2021 (O&M)  
Date of Decision:- 2.8.2021

Varinder Singh

.... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Tarundeep Kumar, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,  
assisted by ASI Rupinder Singh.

*(Proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.131, dated 21.12.2015, Police Station Sudhar, District Ludhiana Rural, under Sections 364, 34 IPC and under Sections 25, 27 of Arms Act (Sections 302, 396, 397, 412, 120-B, 201 IPC added later on).
2. Learned counsel for the petitioner submits that as per the FIR the allegations are against 4 persons against whom there are allegations to the effect that they had abducted the deceased while brandishing pistol and knives and who was later found to have been looted and killed. It

has been submitted that the only role attributed to the petitioner on the basis of investigation is that he had helped the main accused in commission of crime and that his car had been used for commission of the offence.

3. Opposing the petition, learned State counsel has submitted that since the petitioner had facilitated the other accused in commission of crime with the help of his car, no case for grant of bail is made out. Learned State counsel has however, informed that the petitioner as on date has been behind bars since the last about 5 years and 7 months and that till date only 22 out of cited 50 PWs have been examined. It has further been informed that the petitioner happens to be involved in one more case registered under Section 52-A of Prisons Act.
4. I have considered rival submissions addressed before this Court.
5. No doubt that the petitioner is found to be involved in the occurrence inasmuch as he has facilitated the other accused for commission of crime which would render him equally liable for the commission of offences under Sections 302, 396, 397, 412 with the aid of Section 120-B of IPC. However, the fact remains that the petitioner has been behind bars for a substantial period of more than 5 years and 7 months and till date only 22 PWs out of the cited 50 PWs have been examined. In these circumstances it goes without saying that conclusion of trial will take substantial time especially in the present circumstances when the Courts are still working in a restrictive manner. The petitioner is not stated to be involved in any other offence under IPC and is stated to be involved in one more case under Prisons Act only. Having regard to the aforestated facts and position

especially the long custody of the petitioner, the petition is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**2.8.2021**

Mohan

**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No