

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

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**CRM-M-5194-2021(O&M)
Decided on :04.03.2021**

AMRIT SINGH ALIAS BURRA AND ANR

. . . Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. P.S. Ahluwalia, Advocate
for the petitioners.

Mr. Deepinder Brar, Advocate
for the complainant.

Mr. Luvinder Sofat, AAG Punjab
assisted SI Manjot Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.272, dated 05.08.2020 under Sections 302, 307, 341, 506, 109, 148 and 149 of the Indian Penal Code, 1860 and Sections 25, 27, 54, 59 of the Arms Act, 1959 registered at Police Station Sadar Dhuri, District Sangrur.

Learned counsel for the petitioners contends that the instant case is one of version and cross-version in which both the parties suffered injuries and further contends that an unexplained delay of one day in lodging of the FIR from the date of occurrence lends credence to a fabricated version having been brought forth against the petitioners. It has been further submitted that the petitioners were alleged to be armed with *soti* and sword respectively and the FIR is completely silent qua any injury having been inflicted by them on any witness, much less, the deceased.

It has been further submitted that the petitioners have been

attributed only a *lalkara* pursuant to which the main accused Hardeep Singh allegedly fired upon the complainant party leading to death of deceased Dalvinder Singh. Learned counsel contends that petitioner No.1- Amrit Singh has been in custody since 03.09.2020 and petitioner No.2 since 10.08.2020 and there is no likelihood of the trial concluding any time in the near future as only report under Section 173 Cr.P.C., stands presented as on date.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioners on instructions from SI Manoj Singh has not been able to controvert the factual aspect of the submissions made by the learned counsel for the petitioner with respect to the role assigned to both the petitioners in the alleged crime.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 04, 2021

S.Sharma(syr)

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No