

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

225

CRM-M-6794-2021

DATE OF DECISION: 18.02.2021

SAUDAGAR SINGH @ SAGAR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Harpal Singh Sidhu, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.175 dated 13.10.2020, under Sections 307, 364, 379-B, 323, 427, 506, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, registered at Police Station City South Moga, District Moga.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein 4 co-accused have been specifically named. It is alleged that a shot had been fired by the co-accused Rajbir Singh on the left hand of the complainant. The complainant was released after 4 hours. The petitioner has been arraigned as an accused on the statement of the co-accused. The petitioner is in custody for over 3 months. He is 25 year of age and is not involved in any other case.

Learned State counsel, upon instructions from ASI Major Singh, contends that a pistol and cartridges were recovered from the petitioner. He has filed custody certificate which indicates that the petitioner is in custody for 2 months and 19 days.

Learned counsel for the petitioner contends that recovery is doubtful as there is no independent witness to the recovery. He also contends that it is an actual case of version and cross version and the complainant had also caused fire arm injury to the co-accused but no action has been taken thereon by the police.

Heard.

In view of the above, especially when the petitioner is in custody for over 2 ½ months, he is not involved in any other criminal case, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

18.02.2021

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No