

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

224

CRM-M-8621-2021

Date of decision : 02.03.2021.

Sarwan Singh @ Samma

... Petitioner

Versus

State of Punjab

.. Respondent

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)

The petitioner is seeking regular bail in FIR No.175 dated 13.10.2020, under Sections 307, 364, 379-B, 323, 427, 506, 148, 149 IPC and Sections 25, 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 04 co-accused have been specifically named. It is alleged that a shot was fired by co-accused Rajbir Singh on the left hand of the complainant, who is alleged to have been released after 04 hours. The petitioner has been arraigned as an accused on the statement of co-accused Rajbir Singh that the weapon had been supplied by the petitioner. After the arrest of the petitioner, no recovery has been effected from him. He also contends that the petitioner is in custody for over 04 months.

Learned State counsel, upon instructions from ASI Ashok Kumar, contends that co-accused Rajbir Singh had disclosed in his statement that he had returned the weapon to the petitioner which was used in the crime. He

further contends that although challan has been filed but no prosecution witness has been examined. He also contends that the petitioner is involved in several other cases.

Learned counsel for the petitioner, however, contends that the petitioner is on bail in all other cases.

Heard through video conferencing.

In view of the above especially when the petitioner is not named in the FIR, no recovery has been effected from him, he is in custody for over 04 months, 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

March 02, 2021
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No