

In the High Court of Punjab and Haryana at Chandigarh

207-2

**CRM-M-11427-2020 (O & M)
Date of Decision: February 23, 2021**

JOGINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Amitabh Tewari, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Anil Kumar Lamdharia, Advocate
for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.104 dated 13.06.2017, under Sections 302, 325, 324, 323, 506, 148, 149 and 120-B IPC and Sections 25, 27, 54, 59 of the Arms Act, registered at Police Station Samana, District Patiala.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that gun shots were fired by co-accused Gurmej Singh on Joga Singh (deceased) and Sewa Singh (injured). In the supplementary statement of the complainant, it has been alleged that after Gurmej Singh had fired gun shots on Sewa Singh (injured), the gun was snatched by co-accused Hardeep Singh, who fired a shot on Joga Singh. The gun was then given to Joginder Singh (petitioner), who had also fired two shots at Joga Singh. He, however, contends that .12 bore gun used in the occurrence

was recovered from Gurmej Singh. Co-accused Gurmej Singh, who was in

custody for about 2 ½ years, has been granted regular bail by the Coordinate Bench of this Court in CRM-M-3778-2020 on 20.02.2020. The petitioner is in custody for over 03 years and 03 months since his arrest on 18.11.2017.

Learned counsel for the complainant states that in view of the serious allegations, the petitioner is not entitled to the concession of regular bail.

Learned State counsel upon instructions from ASI Sarabjit Singh contends that 21 out of 40 prosecution witnesses have been examined.

Heard.

In view of the above, especially when co-accused Gurmej Singh has been granted bail, the petitioner is in custody for over 03 year and 03 months, 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.

Without expressing any opinion on the merits of the case, the 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.

It is made clear that any observation made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(ANUPINDER SINGH GREWAL)
JUDGE

February 23, 2021

A.Kaundal

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