

CRM-M-19667-2021

Date of decision: 24.05.2021

Rajpal Singh @ Raja

.....Petitioner

versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Ramandeep Singh Gill, Advocate
for the petitioner.Mr. Jagmohan Singh Ghuman, DAG, Punjab
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The allegations against the petitioner/accused-Rajpal Singh @ Raja in this first regular bail application under Section 439 Cr.P.C. filed in a case bearing FIR No.244 dated 30.09.2019 under Sections 307, 332 and 324 of the Indian Penal Code and Sections 25, 27, 54 and 59 of the Arms Act registered at Police Station Jandiala, District Amritsar, have come about from ASI Jatinder Singh.

The brief allegations are that while the police officials were sitting at a *Dhaba*, a Brezza car came and it is alleged that a

scuffle has taken place, whereby, certain fire shots were fired by the accused side comprising of non-applicant/co-accused, Sukhraj Singh. The police too, fired back and, thereafter, the petitioner was arrested and from his possession, 6 + 25 rounds of live cartridges of 7.62 mm were recovered leading to the present case.

Learned counsel for the petitioner *inter alia* contends that it is a non-injury case and that no weapon is alleged to have been recovered from the petitioner who is behind the bars for almost 01 year 03 months and 21 days.

The learned State counsel though does not displace the facts but has strongly opposed the bail on the grounds of huge quantity of cartridges having been recovered from the petitioner.

Be so as it may, the petitioner is behind the bars since long time. There are only allegations of recovery of live cartridges from the petitioner and being a non-injury case and the fact that due to present pandemic of COVID-19, the trial is not likely to progress, impels this Court to allow the bail.

Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate.

The petition stands disposed off accordingly.

24.05.2021
Neha

(FATEH DEEP SINGH)
JUDGE

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