

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CRM-M-17080-2020 (O&M)
DATE OF DECISION: 04.08.2021**

RUPINDER SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Gursimran Singh Bhatia, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Harish Mehla, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.135 dated 20.08.2017, under Sections 302, 307, 323, 324, 452, 447, 511, 506, 427, 120-B, 148, 149 IPC and Sections 25/27/54/59 of the Arms Act, 1959 and Section 3(1)(x), 2(v) of SC and ST Act, registered at Police Station Lopoke, District Amritsar.

Learned counsel for the petitioner contends that the possession of the disputed land had been handed over on 18.07.2017 to the father of the petitioner in terms of the order of this court dated 19.12.2016 in CWP-11268 of 2016. The complainant party had tried to take possession of the same. It is also alleged that the petitioner had snatched the gun from the co-accused Amandeep Singh and had fired at the deceased. He also contends that none of the material witnesses including the complainant, mother of the deceased and injured Saheb Singh have supported the prosecution case qua the involvement of the petitioner. The petitioner is in custody for over 1 year and 8 months and he is not involved in any other criminal case.

Learned State counsel, upon instructions from ASI Gurmeet Singh, contends 6 out of 38 prosecution witnesses have been examined. He has filed custody certificate which indicates that the petitioner is in custody for a period of 1 year, 8 months and 14 days.

Learned counsel for the complainant contends that the complainant has indeed not supported the prosecution case qua the involvement of the petitioner. He also contends that in view of the serious allegations the petitioner, he is not entitled to the concession of regular bail.

Heard.

In view of the above, especially when the petitioner is in custody for over 1 year and 8 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

04.08.2021

SwarnjitS

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