

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

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CRM-M-31889-2021.

Date of Decision: 24.11.2021.

Amrik Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Sant Pal Singh Sidhu, Advocate for petitioner.
Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This petition under Section 439 Cr.P.C for grant of regular bail has been moved by petitioner-**Amrik Singh** in case FIR No.26 dated 11.02.2021 under Sections 399 and 402 IPC and Sections 25 and 27 of Arms Act, registered at Police Station City Ferozepur, District Ferozepur.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally false, frivolous and concocted one and there is no iota of truth therein. He further submits that once police party was having specific secret information regarding assemblage of accused persons and that too heavily armed; the fact that raiding party was heavily armed; the fact that two culprits out of accused party had been able to flee from the spot and the fact that there was no exchange of fire, above said circumstance as propounded by Investigating Agency does not appear to be plausible. He further urges that petitioner is languishing in custody since 11.02.2021 and he is no more required by the Investigating Agency

report as envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and carefully gone through the record of the case.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 11.02.2021; that petitioner is no more required by the Investigating Agency for investigation purpose as after completion of investigation final report as envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Amrik Singh** is allowed and he is ordered to be released on bail on his furnishing personal bond surety bond to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Ferozepur, as the case may be.

(LALIT BATRA)
JUDGE

24.11.2021

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