

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

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CRM-M-35070-2020

Date of decision : 24.03.2021.

Saurav @ Kattu

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.110 dated 30.04.2016, under Sections 364, 302, 201, 148, 149, 120-B IPC and Sections 25/27/54/59-A of the Arms Act, registered at Police Station Sultanwind, District Amritsar.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein 05 co-accused have been specifically named. The petitioner has been arraigned as an accused on the statement of co-accused. He further contends that the alleged weapon which was used in the offence has been recovered from co-accused Darshan Singh @ Rajan @ Khan, who was named in the FIR. Co-accused Darshan Singh @ Rajan @ Khan has been granted bail by the Coordinate Bench in CRM-M-39563 of 2019 on 21.11.2019. He also contends that similarly situated co-accused, namely, Jagroshan Singh @ Roshan and Simranjit Singh @ Kaka @ Baba Bhullar have been granted bail by the Coordinate Bench of this Court in CRM-M-17357 of 2017 and CRM-M-25799 of 2017 on 09.04.2019. Co-accused, namely, Honey Singh @ Honey @ Ashu, who was named in the FIR, has also been granted bail by the Coordinate Bench of this Court in CRM-M-41658 of 2018 on 09.04.2019. Some other co-accused have also been granted bail by the

Coordinate Bench of this Court. He also contends that the petitioner is in custody for over 02 years and 03 months.

Learned State counsel has filed custody certificate in Court which indicates that the petitioner is in custody for 02 years, 03 months and 02 days as on 23.03.2021. He also contends that the petitioner is involved in several other cases. He, upon instructions from ASI Prabhdhayal, contends that although challan has been filed but no prosecution witness has been examined.

At this stage, learned counsel for the petitioner contends that co-accused Bhupender Singh @ Sonu @ Kangla, who was granted regular bail by the Coordinate Bench in CRM-M-32620 of 2019, on 21.11.2019 was also involved in several other cases.

Heard through video conferencing.

In view of the above especially when the petitioner is not named in the FIR, he is in custody for over 02 years and 03 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.

However, the petitioner shall appear before the Police Station Sultanwind, District Amritsar on every alternate Monday till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

March 24, 2021
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No