

Sr.No.221

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

CRM-M-37822-2020

Date of decision:23.03.2021

Gurvinder Singh @ Gurvinderjit Singh

... Petitioner(s)

versus

State of Punjab

... Respondent(s)

Coram: Hon'ble Mr. Justice Deepak Sibal

Present: Mr. Suram Singh Rana, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

Deepak Sibal, J.(Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C.
for the grant of regular bail in FIR No.164, dated 29.09.2016 registered
under Sections 302, 238, 148, 149 IPC at Police Station Mehatpur, District
Jalandhar.

The petitioner, along with his co-accused, is being prosecuted
for the murder of Jugraj Singh.

Learned counsel for the petitioner submits that the petitioner
has been falsely implicated in the case; co-accused Sukhwinder Kaur @

Goga and Kuldeep Singh against whom there are similar allegations as the petitioner, after facing trial have been acquitted by the Trial court vide its judgment dated 11.03.2019; the petitioner did not face trial since he was declared a proclaimed offender but subsequent to his arrest on 26.08.2020 the petitioner has suffered incarceration for 07 months; co-accused Kartar Singh who was also declared a proclaimed offender and had been attributed a similar role as the petitioner has been granted regular bail by this Court, the petitioner undertakes to appear before the Trial Court on each and every date of his trial unless specifically exempted and that the petitioner's trial which is yet to begin will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner, along with his co-accused, has murdered Jugraj Singh.

Co-accused Sukhwinder Kaur and Kuldeep Singh against whom there were similar allegations as the petitioner, after facing trial, have been acquitted; co-accused Kartar Singh who, like the petitioner, had also been declared a proclaimed offender, has been granted regular bail by this Court; report under Section 173 Cr.P.C has already been filed and therefore, the petitioner is neither required for investigation purposes nor can he influence the investigation and that the petitioner's trial which is yet to begin is likely to take a long time to conclude especially in the present circumstances when the world is facing the Covid-19 pandemic.

Keeping in view the totality of the above facts, the present case is considered to be a fit case in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the

CJM/Duty Magistrate, Jalandhar who shall insist on heavy local sureties, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

23rd March, 2021

Shivani Kaushik

[DEEPAK SIBAL]

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No