

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

**210**

**CRM-M-42750 of 2020  
Date of Decision: 04.01.2021**

**Jagtar Singh**

**..... Petitioner**

**Versus**

**State of Punjab**

**..... Respondent**

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present: Mr. Arshdeep Singh Brar, Advocate,  
for the petitioner.

Mr. Sidakmeet Sandhu, A.A.G, Punjab.

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**AMOL RATTAN SINGH, J. (ORAL)**

Case heard by video conferencing.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.31, dated 16.03.2020, having been registered at Police Station Baghapurana, District Moga, alleging therein the commission of offences punishable under Sections 379-B of the IPC as also Section 25, 27 of the Arms Act, 1959.

Learned counsel for the petitioner submits that though this is the third petition filed by the petitioner seeking the same concession, it is effectively the second petition, because the 2<sup>nd</sup> one was withdrawn on 26.11.2020, on account of the fact that the petition filed before that had been dismissed on 19.06.2020, which fact was not in the knowledge of learned counsel.

Consequently, liberty was duly granted by this court on 26.11.2020 to file a fresh petition showing therein that the present one is a subsequent petition to the one earlier filed, as was dismissed on 19.06.2020 (CRM-M-13518 of 2020).

Learned counsel submits that *de hors* the merits of the case, the petitioner has now been in custody for almost 10 months, with no other criminal case registered against him and with the trial not having progressed at all in the meanwhile, since June 2020.

Upon query to learned State counsel, he does not deny, on instructions from ASI Gurbinder Singh, that there is no other criminal case registered against the petitioner and that though the report under Section 173 of the Cr.P.C. was submitted on May 2020, even the charge has not been framed so far.

That being so, without making any comment on the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

**January 04, 2021**  
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**(AMOL RATTAN SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether Reportable

Yes  
No