

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

CRM-M-44004-2020

Date of decision:02.09.2021

Vishwash Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rimple Saini, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate, by way of an affidavit dated 01.09.2021 of Additional Superintendent, Central Jail, Amritsar, filed through email, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.133 dated 05.07.2020 registered under Sections 307, 506, 148, 149 IPC, Sections 25 and 27 of the Arms Act (Section 188 IPC and Sections 54 and 59 of the Arms Act, 1959 added later on) at Police Station Mohkampura, District Amritsar.

Learned counsel for the petitioner submits that in the FIR, no injury has been attributed to the petitioner. It is further submitted that co-accused have been granted regular bail by this Court vide orders dated 09.12.2020 (Annexure P-3) and 17.12.2020 (Annexure P-4). The petitioner has been in custody since 02.08.2020.

Learned State counsel, while opposing the prayer for grant of

regular bail, does not dispute the custody period of the petitioner. However, he submits that the petitioner had fired from his gun and there are two more FIRs registered or pending against him. It is further submitted that the challan has been filed.

I have heard the learned counsel for the parties.

In the present, no injury has been attributed to the petitioner and he has been in custody since 02.08.2020. The prosecution witnesses are yet to be examined. Co-accused have already been granted regular bail. The trial will take time to conclude, especially due to Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

02.09.2021

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No