

In the High Court of Punjab and Haryana at Chandigarh

203

**CRM-M-13192-2021 (O & M)
Date of Decision: March 10, 2022**

LOVEJINDER SINGH @ LALLI

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Manbir Singh Basra, Advocate for the petitioner.

Mr. T.P.S. Chawla, DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

CRM-40678-2021

This application is for placing on record FIR No.5 dated 18.01.2019 as Annexure P-6.

Application is allowed and FIR No.5 dated 18.01.2019 is taken on record as Annexure P-6

Main Case

The petitioner is seeking regular bail in FIR No.05 dated 18.01.2019, under Sections 302/34 IPC and Sections 25/27/54/59, registered at Police Station Dera Baba Nanak, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner was stated to be empty handed and the first shot at the deceased was fired by co-accused Sukhdev Singh. Sukhdev Singh had himself received fire arm injuries and he has been granted bail by this Court in CRM-M-17420-2020 on 05.08.2020. It is alleged that after Sukhdev Singh had fired a shot at the deceased, the petitioner had taken the rifle from the co-accused Sukhdev Singh

and fired at the deceased, which appears to be improbable and simply to implicate the petitioner. It is further alleged that after the petitioner had fired at the deceased, the gun was taken by co-accused Harjit Singh @ Ranjit Singh, who had also fired at the deceased. Harjit Singh @ Ranjit Singh has also been granted bail by the trial Court on 22.10.2019. He also contends that the trial has come to stand still as an application under Section 319 Cr.P.C. had been allowed which was also challenged in this Court by preferring a revision petition. The revision petition is pending adjudication. The petitioner is in custody for over 03 years and 01 month and is not involved in any other criminal case.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 03 years, 01 month and 03 days.

Heard.

In view of the above, especially when the petitioner is in custody for over 03 years and 01 month, co-accused have been granted bail, 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 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.

(ANUPINDER SINGH GREWAL)
JUDGE

March 10, 2022
A.Kaundal

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