

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

CRM-M No.13694 of 2022 (O&M)

Date of Decision: 20.05.2022

Bobby Malhotra alias Sagar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. J. S. Thakur, Advocate
for the petitioner.

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

ANUPINDER SINGH GREWAL J. (ORAL)

The petitioner is seeking regular bail in FIR No.110 dated 30.04.2016, under Section 364 IPC, 1860 and Section 25 of Arms Act, 1959 and Sections 302, 201, 148, 149, 120-B of IPC, 1860 and Sections 27, 54, 59 of Arms Act added later on registered at Police Station Sultanwind District Amrtisar Commissionerate.

Learned counsel for the petitioner contends that it is alleged that the petitioner was also present with other accused and had pointed a pistol at the ear of the son of the complainant and pushed him inside the car. He, however, submits that other co-accused, who were also named along with the petitioner in the FIR, have been granted regular bail by the Coordinate Benches. Co-accused, Darshan Singh, who is alleged to have fired the fatal shots at the deceased and recovery of weapon had also been effected from him, had been granted regular bail by the Coordinate Bench in **CRM-M No.19253 of 2019** on 21.11.2019. The petitioner is in custody for over 02 years and 05 months and the trial has not made any headway in view of Covid-19 Pandemic.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for over 02 years, 05 months and 9 days. He however, upon instructions from ASI Rajinder Singh, states that the petitioner is involved in many other cases and therefore, he should not be granted regular bail.

Heard.

In view of the above, especially when the co-accused have been granted regular bail and the petitioner is in custody for over 02 years and 05 months, 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.

At the time of release of the petitioner, the SHO, Police Station Sultanwind, District Amritsar Commissionerate shall be informed and the petitioner shall furnish his mobile number to him and keep the location of his phone on. He shall appear before the Police Station Sultanwind, District Amritsar Commissionerate on first Monday of every month till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

20.05.2022

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No