

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH  
(through video conferencing)**

CRM-M-3205-2021  
Decided on : 29.01.2021

Gurjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Vinod Ghai, Sr. Advocate with  
Ms. Kanika Ahuja, Advocate  
for the petitioner.

Mr. H.S.Multani, AAG, Punjab.

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**Manjari Nehru Kaul, J.**

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.66 dated 25.06.2020 registered under Sections 302, 307, 325, 506, 323, 148, 149, 120-B IPC, 1860 and Sections 25, 27 and 29 of Arms Act at Police Station Mulepur District Fatehgarh Sahib.

Learned Senior counsel for the petitioner inter alia contends that a perusal of the contents of the FIR clearly reveals that no injury much less any overt act has been attributed to the petitioner except that when the accused were fleeing after firing at the complainant party, the petitioner who was driving a tractor, raised a lalkara along with the other accused. He further contends that false implication of the petitioner is evident from the fact that neither did he have any motive to be a part of the unlawful assembly nor did he share a common object with the co-accused nor any recovery was effected from him subsequent to the alleged occurrence. It has been submitted that the petitioner has been in custody since 26.06.2020 and

the trial is unlikely to conclude in the near future as only challan has been presented till date. Hence, prayer has been made that in the facts and circumstances of the case, the petitioner may be extended the concession of regular bail.

Per contra, learned State counsel while opposing the prayer of learned senior counsel for the petitioner on instructions from ASI Gulzar Singh has not been able to controvert the factual aspect of the submissions made by learned senior counsel viz-a-viz the role of the petitioner in the alleged crime. He has submitted that the pace of the trial has slowed down on account of the outbreak of the pandemic.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 26.06.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

29.01.2021  
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No