IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-42769 of 2019
Date of Decision: 16.11.2019

Mohit Arora ....Petitioner

Versus

State of Punjab ....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Mr. Shakti Mehta, Advocate
for the victim.

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MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.75 dated 24.04.2019 registered under Sections 170, 420, 465, 467, 468 and 471 of the Indian Penal Code (Section 419 IPC added later on) at Police Station City Rupnagar, District Rupnagar.

On 04.11.2019, the following order was passed by this Court:

> *'In terms of order dated 15.10.2019 passed by this Court, short affidavit of Ravi Kumar, Assistant Superintendent of Police, Rupnagar, District Rupnagar filed by ASI Rajinder Kumar, today in Court, is taken on record. Let a copy thereof be supplied to the learned counsel for the petitioner during the course of the day.*

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> *Perusal of Paragraph-4 of the above affidavit reveals that the petitioner was admitted in the Department of Psychiatry, Government Medical College, Amritsar due to Recurrent Depression with Psychotic Symptoms and remained there till 24.10.2019.*
> *Since no one is appearing on behalf of the petitioner, in the interest of justice, adjourned to 11.11.2019.*
> *Jail authorities concerned shall take care about the health condition of the petitioner.'*

Learned counsel for the victim on instructions from her client has candidly stated that she has no objection in case the petitioner is granted the concession of bail.

Learned State counsel has very fairly stated that keeping in view the health condition of the petitioner, the case of the petitioner can be considered sympathetically.

Heard learned counsel for the parties and perused the paper book.

Keeping in view the agreed stand taken by learned counsel for the parties and the fact that trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioner behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner-Mohit Arora be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

However, it is made clear that above observations may

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not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

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Whether speaking/reasoned yes/no
Whether reportable? yes/no

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