

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

**CRM-M-9056-2020 (O&M)
Date of Decision: 18.5.2020**

Tarsem @ Sema

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Chandan Singh Rana, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. Case is taken up for hearing today through video conferencing due to pandemic of COVID-19.

2. This is the first application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner pending trial in case FIR No. 201 dated 17.9.2019 under Sections 458, 380, 411 IPC registered at Police Station Sadar Khanna, District Ludhiana.

3. Learned counsel for the petitioner contends that the petitioner had been falsely implicated in the case. He further contends that the FIR has been registered against the unknown persons at the instance of the complainant Darshan Ram and he is not named in the FIR. The investigation qua the petitioner is complete and he is no longer required for further investigation.

4. Notice of motion.

5. On the asking of the Court, Mr. Sandeep Vermani, Addl.

A.G Punjab accepts notice on behalf of the State.

6. I have heard learned counsel for the parties and gone through the paper-book.

7. Learned counsel for the petitioner submits that co-accused namely Karnail Singh has been granted the concession of regular bail.

8. On the other hand, learned counsel for the State submits that due to gravity and seriousness of the offence, the petitioner should not be granted concession of regular bail.

9. Having heard learned counsel for the parties and without any opinion on merits of the case, I am of the considered view that no useful purpose would be served by keeping the petitioner in jail. The petitioner is in judicial custody since 23.10.2019. Custody certificate received through WhatsApp is taken on record. As per custody certificate, the petitioner has spent six months and 25 days in jail. It appears to be a fit and proper case for grant of bail pending trial.

10. In view of the above, this petition is allowed. The petitioner is directed to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

(RAJIV NARAIN RAINA)
JUDGE

18.5.2020

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