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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-12775-2020 (O&M)
Date of decision-24.06.2020

Paramveer Singh @ Bhangu **....Petitioner**

Vs.

State of Punjab **...Respondent**

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Chopra, Advocate for the applicant-petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

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MANOJ BAJAJ, J.

CRM-10991-2020

Application is allowed as prayed for.

Main case

Petitioner-Paramveer Singh @ Bhangu has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.0241 dated 06.12.2019 registered under Sections 457, 380 and 411 of Indian Penal Code, 1860 at Police Station Passiana, District Patiala, pending trial. The petitioner is in custody since his arrest on 18.12.2019.

The FIR was lodged on the basis of the statement given by complainant-Sanjay Kumar, Executive Branch Manager, SBI, Gajjumajra, wherein it was alleged that on 05.12.2019, amount of Rs.4 lakhs was loaded

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in the ATM machine installed at one of the shops of Gurudwara Sahib near Gajjumajra Bus Stand and the cash was again loaded in the evening as well. Thereafter, it was found that shutter of the ATM was broken and few unknown persons had taken away cash from the ATM machine. On these allegations, the above FIR for the offences of theft and trespass at night was recorded.

Learned counsel for the petitioner contends that when the petitioner was already in custody in FIR No.0134 dated 19.12.2019 registered under Sections 392, 394, 397, 399, 402 and 411 IPC and Sections 25, 54 and 59 of Arms Act at Police Station Sanaur, District Patiala, when the Police has recorded the disclosure of the petitioner in respect of the present occurrence. It is pointed out that the investigation of the case is complete and the final report stands filed before the Court. It is prayed that the trial will consume considerable time, therefore, he be released on regular bail.

On the other hand, learned State counsel, on instructions from HC Deepak Kumar has opposed the prayer on the ground that the petitioner is involved in other cases as well. He submits that the recovery has also been effected from the petitioner, however, he is unable to give particulars of the said recovery. It is not disputed by him that the investigation of the case is complete and the case is now fixed before the trial Court for 04.07.2020.

After hearing learned counsel for the parties and considering the custody of the petitioner since 18.12.2019, coupled with the fact that the trial is likely to consume considerable time to conclude in view of the outbreak

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of global pandemic, namely, COVID-19 in the region as State Government and District Administration have imposed various restrictions to curb its spread, this Court is of the opinion that further custody of the petitioner behind the bars may not be necessary.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Patiala.

The petition is allowed.

24.06.2020 **(MANOJ BAJAJ)**
vanita **JUDGE**

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

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