

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-13025-2020

Date of decision: 12.06.2020

Jatinder Kumar @ Sunny

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Sandeep Kumar, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Jatinder Kumar @ Sunny has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.13 dated 27.01.2020 under Sections 379-B, 411 & 34 of Indian Penal Code, registered at Police Station Model Town, District Hoshiarpur.

Learned counsel for the petitioner based on the pleadings in the petition, submits that the petitioner is a young man aged 30 years and he has been falsely implicated in the present case.

On 08.06.2020, this Court had passed the following order:-

“The case has been taken up for hearing through video-conferencing.

Learned State counsel states that necessary instructions could not be collected from the Investigating Officer. He prays for short adjournment.

Adjourned to 12.06.2020.”

Learned counsel for the petitioner submits that there is a delay in registration of the FIR. He further submits that the complainant, even in the

FIR has stated that “today I was coming to you for getting my statement recorded and you directed me to identify Jatinder Kumar @ Sunny S/o Parkash Chand, resident of Sukhiabaad, Police Station Sadar, Hoshiarpur.” He therefore submits that the petitioner has been falsely implicated in the case. He further submits that retention of the petitioner behind bars would be dangerous to his life due to the present COVID situation.

Learned State counsel however submits that the petitioner is also involved in a case FIR No.12 dated 26.01.2020 under Sections 22, 61 & 85 of NDPS Act.

On a question put by this Court, learned counsel for the petitioner submits that he was arrested in the above said FIR No.12 dated 26.01.2020.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID and the fact that trial is likely to take time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

12.06.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No