

205-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-11583-2020 in/and
CRM-M No.13244 of 2020
Date of Decision:30.09.2020

GURPREET SINGH

...Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr.Karanjeet Singh Brar, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-11583-2020

This is an application for grant of exemption from filing the court fee/process fee and welfare fund ticket thereon.

Disposed of with a direction to the petitioner to deposit the court fee on-line forthwith. He is also directed to make good the bar council fee once the pandemic situation is over.

CRM-M-13244-2020

Custody certificate by way of affidavit of the Deputy Superintendent, Central Prison, Bathinda, has been filed through e-mail. Print out of the same is taken on record.

Petitioner has filed this petition under Section 439 of Cr.P.C.

for grant of regular bail in case FIR No.266 dated 4.12.2019 registered under Sections 420, 465, 467, 468, 471 IPC at Police Station Civil Lines, Bathinda, District Bathinda.

Learned counsel for the petitioner states that the petitioner has not been named in the FIR and has been indicated as an accused on the basis of a supplementary statement made by complainant-Pawan Kumar on 05.12.2019.

He further states that there is no role attributed to the petitioner receiving money from the complainant and as far as other three cases are concerned, he is on bail in all the three cases. The petitioner has been in custody since 05.12.2019, the challan has been filed and the charges are yet to be framed. The trial is not likely to conclude on account of the prevailing Covid-19 pandemic.

Learned State counsel has pointed out that in the supplementary statement the petitioner has been specifically named by the complainant-Pawan Kumar and he was the part of gang who gave fake ticket to the complainant to travel United States. He has not disputed the fact regarding the custody period of the petitioner and further states that the challan has been presented and charges are yet to be framed.

I have heard the learned counsel for the parties.

In view of the submissions made by the learned counsel for the petitioner, especially when the petitioner has been in custody since 05.12.2019; and has not been named in the FIR and that the trial of the case may take time to conclude as the country continues to plunge into the global pandemic, Covid-19, this Court finds that no useful purpose would be served by

keeping the petitioner behind bars.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

September 30, 2020

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasonedYes/No

Whether ReportableYes/No