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

CRM-M-15498-2020
Date of decision: 15.07.2020

Shanty Kumar ....Petitioner

versus

State of U.T. Chandigarh ....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Karan Verma, Advocate
for the petitioner.

Mr. Sukant Gupta, Addl.P.P.,
for the respondent-U.T. Chandigarh.

FATEH DEEP SINGH, J.(ORAL)

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner-Shanty Kumar has sought this regular bail under Section 439 Cr.P.C. in a case bearing FIR No.0021 dated 20.01.2020 under Sections 399, 402 and 411 of the Indian Penal Code registered at Police Station Sector 39, Chandigarh.

The brief allegations against the petitioner and five other co-accused/non-applicants are that on receipt of secret information by the police that the accused were having stolen motorcycles and

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were duly armed with knife, sticks and iron rod etc. planning to commit theft at a petrol pump in the area of Chandigarh and on the basis of this information, a raid was conducted in which accused including the petitioner were apprehended leading to the recovery of the stolen motorbikes.

Learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars for more than 05 and a half months and that recovery has already been effected and similarly placed co-accused has been allowed bail in CRM-M-12815-2020 by this Court vide order dated 10.06.2020.

The learned State counsel has not opposed the facts but has strongly resisted the grant of bail on the grounds that challan has since been submitted in the Court and that 27 motorbikes which are recovered at the behest of all the accused persons and petitioner is facing three other criminal cases.

Going through the submissions, the petitioner is behind the bars since a long time and the co-accused of the petitioner has since been allowed bail by this Court and, therefore, in view of the principle of parity and together with the fact that the investigation and trial is not likely to be concluded in the near future and also the fact that further detention of the petitioner is undesirable, especially, in light of the present pandemic COVID-19. This Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be

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released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No

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