

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

CRM-M No.15683 of 2020 (O&M)

Date of decision : July 03, 2020

Ajay Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Narinder S. Lucky, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

CRM-13762-2020

Application is allowed as prayed for.

Main Case

Custody certificate of the petitioner has been filed in the Court today and the same is taken on record.

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.11, dated 12.01.2020, under Sections 379-B, 411 IPC (Section 120-B IPC added later on), registered at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner argues that the petitioner has wrongly been roped in the present FIR. Learned counsel for the petitioner further submits that the petitioner is behind the bars since 13.01.2020 and the challan has already been presented and nothing more is to be recovered from the petitioner and therefore, keeping in view the allegations alleged, the petitioner is entitled for the concession of regular bail.

Learned counsel for State, on instructions from ASI Nirmal Singh, states that the snatched phone was recovered from the petitioner though nothing more is to be recovered from the petitioner hence he is not entitled for the concession of regular bail.

I have heard learned counsel for the parties and have also carefully gone through the case file.

It is not disputed that the challan has already been presented and nothing more is to be recovered from the petitioner. The trial is likely to take some time and in the present scenario of COVID-19, no useful purpose would be served by keeping the petitioner behind bars.

Learned counsel for the petitioner undertakes that the petitioner will not influence the trial in any manner, including influencing the witnesses and in case of default of undertaking, the State will be at liberty to approach this Court for appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, , if not required in any other case, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

July 03, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No