

In the High Court of Punjab and Haryana at Chandigarh

211

CRM-M-16458-2020 (O & M)

Date of Decision: July 30, 2020

PAVAN PATEL @ PAWAN PATEL

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr.R.S. Manhas, Advocate for the petitioner(s).

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.38 dated 26.10.2018, under Sections 302, 120-B IPC (Section 201 IPC added later on), registered at Police Station Dhakoli, District SAS Nagar (Mohali).

Learned counsel for the petitioner contends that the FIR was lodged after a delay of one month. The deceased was found dead on 22.09.2018 while the FIR was lodged on 26.10.2018. It is alleged by the complainant that the deceased along with the petitioner and other accused were together on the night prior to the incident. He further contends that the petitioner was about 18 years of age at the time of incident and is a labourer. There is no motive which has been ascribed to the petitioner. He is in custody for over 01 year and 07 months and not involved in any other case.

Learned State counsel, however, contends that the application of the petitioner for declaring him as juvenile was rejected by the trial Court. He upon instructions from Sub Inspector Arshdeep Singh states that 04 out of 14 prosecution witnesses have been examined.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner, who is about 20 years of age, is in custody for over 01 year and 07 months, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

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

(ANUPINDER SINGH GREWAL)
JUDGE

July 30, 2020
A.Kaundal

Whether speaking/ reasoned : Yes/No

Whether Reportable : Yes/No