

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

204

CRM-M No.17056 of 2020

Date of Decision: July 17th, 2020

Upinder Chauhan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Amandeep Singh Rai, Advocate
for the petitioner.

Mr. Suveer Sheokand, Additional Advocate General, Punjab.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court with a grievance that despite a period of almost one year having been passed and there being no specific allegation against him and the trial is not likely to proceed in the near future because of the prevailing pandemic, he is in custody and deserves the concession of bail, especially in the light of the fact that three of the co-accused of the petitioner have been granted bail by this Court.

It is contended that the petitioner has been roped in merely because he was present at the spot.

Counsel for the State, on instructions from ASI Bhupinder Singh, Police Station Jamalpur, Ludhiana, submits that none of the witnesses out of the 15 has been examined.

Keeping in view the role of the petitioner as mentioned in the FIR as also the fact that none of the witnesses out of 15 has been examined till date despite the charge having been framed on 06.03.2020, with the petitioner being in custody for a day short of one year, with the prevailing circumstances, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of
the trial Court/Chief Judicial Magistrate/Duty Magistrate,

Any observations made hereinabove are for the purpose of
disposal of the present petition alone and shall have no bearing on the merit
of the case during the trial in any manner.

July 17th, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No