

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

**103**

**CRM-31074 of 2020 in/and  
CRM-M-17003 of 2020 (O&M)  
Date of Decision:22.12.2020**

**Abhinav Puri**

**..... Applicant/Petitioner**

**Versus**

**State of Punjab**

**..... Respondent**

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present: Mr. Harvinder Singh Mann, Advocate, for the applicant-petitioner.

Mr. Amar Ashok Pathak, Addl. A.G. Punjab.  
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**AMOL RATTAN SINGH, J. (ORAL)**

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

**CRM-31074 of 2020**

By this application, advancement of the date of hearing in the accompanying petition is sought, on the ground that the matter is now to come up for 18.01.2021.

Learned counsel points out that though he had filed a similar application bearing CRM-29321 of 2020 which was dismissed on 04.12.2020, that was on account of the fact that the date of hearing in the petition at that stage had been 15.12.2020.

He submits that even on that date the turn of the case did not come up, therefore leading to the filing of the present application.

Learned counsel further submits that, firstly, the applicants' grand-mother is suffering from paralysis since September, in respect of which he points to Annexure P-7 as is sought to be placed on record with CRM-29329 of 2020, with that document being a certificate shown to be issued by a doctor in the Landmark Hospital (stated to be in Chandigarh), stating to the aforesaid effect.

Other than that, learned counsel submits that the applicant has been in custody for more than 6 months and that the trial is still to commence.

Notice in the application.

Mr. Amar Ashok Pathak, learned Addl. A.G. Punjab, accepts notice at the asking of the court, with Mr. B.S.Jatana, Advocate, appearing for the complainant and also accepting notice.

Though Mr. Jatana opposes even advancement of the date of hearing, keeping in view the aforesaid circumstances as also the fact that after dismissal of the previous similar application filed by the applicant-petitioner, the turn of the case did not come up on 15.12.2020, the application is allowed and the hearing in the accompanying petition is advanced to today itself, with counsel for the State and counsel for the complainant also being present.

**CRM-M-17003 of 2020 (O&M)**

This petition has been filed under the provisions of Section 439 of the Cr.P.C. seeking 'regular bail' for the petitioner in case FIR no. 0009 dated 04.01.2020, registered at Police Station City-2 Mansa, for the alleged commission of offences punishable under Sections 306/149 of the IPC.

Upon query to learned State counsel as to the stage of investigation, he submits that the report under Section 173 of the Cr.P.C. has been submitted to

the competent court, with no prosecution witness examined so far.

He also does not deny the fact that the petitioner has been in custody since June 04, 2020. However, he and learned counsel for the complainant both submit that the petitioner in fact is named in the suicide note of the deceased and other than the allegations against his parents, i.e. Rajiv Puri and Kavita Puri, there is a separate allegation against the petitioner of having defrauded the complainant to the tune of Rs.2.38 crores.

Mr. Jatana further submits that the petition earlier filed by the petitioner having been declined by this court on August 27, 2020 (but with his mother having been admitted to bail), he does not deserve to be admitted to bail.

Having considered the matter, looking at the fact that the petitioner has been in custody for more than 6 months now, with the report under Section 173 of the Cr.P.C. also submitted and the trial not having commenced as yet, without making any comment on the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

December 22, 2020  
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(AMOL RATTAN SINGH)  
JUDGE

Whether speaking/reasoned  
Whether Reportable

Yes  
No