

CRM-M-17062-2020

Date of decision: 17.07.2020

Hardeep

....Petitioner

versus

U.T. Chandigarh

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. A.P. Kaushal, 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-Hardeep, who is in custody since 20.01.2020 in a case bearing FIR No.21 dated 20.01.2020 under Sections 399 and 402 of the Indian Penal Code registered at Sector 39 Chandigarh, has sought this first regular bail application under Section 439 Cr.P.C.

Heard.

The primary allegations in light of the contentions of the State counsel are that while the police was moving around looking out for bad elements, they received secret information on 20.01.2020 that few persons who were subsequently identified as present petitioner-Hardeep Singh @ Deep from whose personal search, a punch along with a stolen motorcycle were recovered beside recovery from other co-accused.

It is argued by the learned State counsel that petitioner is facing two other similar criminal cases and if allowed bail, there is every apprehension that he will influence the trial. The same is controverted by the petitioner's side on the ground that similarly placed co-accused has been allowed bail by this Court and that the petitioner is behind the bars for almost six months.

Be so as it may, keeping in view the period of incarceration undergone, the fact that only one stolen motorcycle has been recovered from the petitioner and no other dangerous weapon has been recovered and in view of principle of parity and together with the fact that the investigation and trial is not likely to be concluded in the near future, 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 released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands disposed off accordingly.

17.07.2020

Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No