

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

(Heard through VC)

CRM-M-18259 of 2020 (O&M)
Date of Decision: July 29, 2020

Manpreet Singh @ Gazi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jitender Singh Dadwal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.52 dated 23.04.2018, under Sections 323, 341, 506, 148, 149 of Indian Penal Code (Sections 307, 326, 325 of IPC added later on), registered at Police Station Goraya, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 26.12.2019, after he was declared as proclaimed offender by the court on 05.11.2018, as he was unaware of the instant FIR. It is submitted that the petitioner has been falsely implicated in the present case and

the other co-accused have already been acquitted by the trial court. It is argued that the injuries attributed to him are simple in nature. It is also contended that conclusion of trial will take sufficient time, as the courts are not functioning at their full strength due to Covid-19 pandemic, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from SI Jagdish Raj opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature. It is submitted that after completing the investigation, challan was presented as far back as January 2020, however, the proceedings are not taking place on account of Covid-19 pandemic.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time to conclude due to non-working of courts at their full strength due to Covid-19 pandemic and in view of the facts that the petitioner herein has been in custody since 26.12.2019, that investigation is complete as the challan has already been presented and that co-accused have already been acquitted by the trial court, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

July 29, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No