

CRM-M-19277-2020

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

**CRM-M-19277-2020 (O & M)
Date of decision:24.09.2020**

Raghav Kumar alias Vicky

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gurjot Singh Sadhrao, Advocate,
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

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Allowed as prayed for.

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Medical status report and custody certificate by way of affidavits of the Deputy Superintendent, Security, Central jail, Faridkot, have been filed through e-mail. Print out of the same are taken on record.

Through this petition, the petitioner seeks regular bail in case FIR No.84 dated 02.03.2020, registered at Police Station City Faridkot, District Faridkot, under Sections 379-A, 379-B and 452 IPC.

As per case of prosecution, the petitioner alongwith co-accused had snatched the gold ear-rings from the complainant and taken

Rs.8000/- kept in her bed and thereafter run away.

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Learned counsel for the petitioner contends that the petitioner is a patient of HIV-positive and Hepatitis-C; that the petitioner is known to the complainant, who is also involved in a case registered under the NDPS Act, and that the petitioner has been in custody since 02.03.2020.

On the other hand, learned State counsel opposes the prayer made in the present petition and submits that recovery of Rs.2,500/- and two ear-rings had been effected from the petitioner and that there are three other cases pending against the petitioner in which he had been released on bail. However, the learned State counsel does not dispute the factum of petitioner's suffering from the aforesaid ailments, and the custody period of the petitioner. He also states that though challan was filed on 24.04.2020, yet charges could not be framed due to the prevailing situation of Covid-19 pandemic.

I have heard the learned counsel for the parties.

In view of the submissions made by the learned counsel for the petitioner, especially when the petitioner has been in custody since 02.03.2020; he is suffering from HIV-positive and Hepatitis-C; trial of the case is in the offing which may take a long time as the country continues to plunge into the global pandemic, Covid-19, this Court finds that no useful purpose would be served by keeping the petitioner behind bars.

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

It is made clear that in case the petitioner is found involved in

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similar type of case(s) during the pendency of trial, the State will be at liberty to move an appropriate application for cancellation of bail.

24.09.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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