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

**CRM-M-19272-2020
Date of Decision: 20.08.2020**

Baldev Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. P.S. Dhaliwal, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is the second petition for regular bail filed under Section 439 Cr.P.C. on behalf of the petitioner in case FIR No.165 dated 08.05.2019, under Sections 302, 307, 148, 149 and 201 of the IPC, registered at Police Station City Barnala, District Barnala.

[2]. On the previous date (10.08.2020), the matter was adjourned in view of the submission that the entire evidence from the prosecution side had already been completed on 27.01.2020, but still the completion of the trial was held up due to the ongoing Covid-19 Pandemic and had been adjourned for defence evidence/arguments on the 17th of this month.

[3]. It transpires that even on the said adjourned date, the matter has been now deferred to 5th of September, 2020 for the same purpose.

[4]. As already noted in an earlier order passed by this Court in CRM-M-13535-2020, no incriminating evidence had come forth against the petitioner during the course of trial as the witnesses from the prosecution

side had turned hostile.

[5]. For this reason, co-accused Azad had been granted bail by this Court on 12.06.2020, but in view of the fact that according to the FIR, the main culprit is the petitioner, his prayer for bail at that stage was rejected, even though no evidence had come forth against him during trial.

[6]. It now appears that the trial is unlikely to conclude in a reasonable short period of time on account of the ongoing Covid-19 Pandemic. In such circumstances, this Court is of the opinion that further detention of the petitioner, who has by now remained in prison for almost 1 year and 3 months, is, therefore, not justified as no incriminating evidence has come forth against him during trial.

[7]. For the aforesaid reasons and considering the long detention undergone by the petitioner, his prayer for releasing him on regular bail is allowed and he is ordered to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[8]. Disposed off.

20.08.2020

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No