

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

207

CRM-M No.19990 of 2020 (O&M)

Date of Decision: August 13th, 2020

Pawan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. C.S. Rana, Advocate
for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Punjab.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail in
FIR No.101 dated 08.04.2020 registered under Section 379-B
(Section 411 IPC added later on) at Police Station Moti Nagar,
District Ludhiana.

It is the contention of learned counsel for the petitioner that
except for the present FIR, there is not other case against the petitioner.
Assertion is that the petitioner had snatched the mobile of Samsung
company by giving beatings to the complainant. He contends that the
petitioner was arrested on 09.04.2020 and is in custody since then.
Challan stands presented but the trial is not proceeding because of the
prevailing pandemic. He is 18 years of age and further continuation of the
petitioner in custody would not serve any useful purpose. He, therefore,
prays that the petitioner be granted the concession of bail.

On the last date of hearing, counsel for the State had pointed
out that there is another case registered against the petitioner, however,
today, on instructions and on the basis of the custody certificate

dated 12.08.2020 submitted by the Deputy Superintendent, Central Prison, Faridkot, he states that there is no other case against the petitioner except for the present one.

In the light of the above as also the fact that no recovery has been effected from the petitioner and the petitioner is in custody since last more than four months, with the challan presented and the trial not likely to proceed in near future, especially in the present circumstances, the concession of bail, as prayed for, is granted to the petitioner keeping in view his young age as well.

In view of the above, the present petition is allowed.

Petitioner is ordered to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Any observations made hereinabove are for the purpose of disposal of the present petitions alone and shall have no bearing on the merit of the case during the trial in any manner.

August 13th, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No