

**211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-20434-2020
Decided on : 11.08.2020

Rajesh Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. K. Arun Singh, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.67 Dated 04.03.2020 registered under Sections 379-B, 34 IPC and Section 25 of Arms Act, 1959 (Sections 392, 411 IPC and Sections 54, 59 of Arms Act 1959 were added later on) at Police Station Division No.6, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question, which was registered against unknown persons. The petitioner was arrayed as an accused only on the statement of co-accused Sumit Sandhu, who has since been enlarged on bail by this Court vide order dated 21.07.2020. He further contends that the petitioner is behind bars since 20.03.2020 and till date only challan has been presented before the trial Court.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual

aspect of the submissions made by learned counsel for the petitioner. She on instructions from ASI Binder Singh has conceded that challan was filed before the trial Court on 11.06.2020 and the charges are yet to be framed. She also apprised the Court that the petitioner is not involved in any other case of similar nature.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 20.03.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

11.08.2020

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