

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

CRM-M-20462-2020
Decided on : 11.08.2020

Sunil Dutt @ Sunil Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ravish Bansal, 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.464, dated 18.12.2019 registered under Sections 365, 34, 201, 120-B IPC at Police Station Zirakpur.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question and there is no evidence to connect him with the case in hand. He further contends that the petitioner has been arrayed as an accused only on the basis of disclosure statement of co-accused Inderbir Singh and Gursewak Singh. No recovery was stated to have been effected from the petitioner nor the vehicle used in the crime was in the name of petitioner. The petitioner is in custody since 28.12.2019 and till date only challan has been filed. It has also been further contended that similarly situated co-accused have since been granted the concession of bail by this Court vide orders dated 10.06.2020 and 01.07.2020.

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 Nathi Ram has conceded that challan has been filed before the trial Court on 17.02.2020 and the charges are yet to be framed.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 28.12.2019, 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:
Whether reportable :

Yes/No
Yes/No