

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20778-2020

Date of decision : August 11, 2020

GAGANDEEP SINGH @ GAGU WALETIA

.....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Narender Lucky, Advocate for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

The petitioner prays for bail pending trial in FIR No. 33 dated 16.02.2020 under Sections 379-B, 34 IPC (Section 201 IPC added later) registered at Police Station Chheharta, District Police Commissionerate, Amritsar.

Apart from arguing that the petitioner has been falsely implicated in this matter after he was taken in custody in another case, it is submitted that the petitioner is similarly placed as the co-accused Jatinder Singh, who has been afforded the concession of bail pending trial on 04.08.2020 in CRM-M-18843-2020. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions ASI Tejbir Singh, is unable to deny that the present petitioner is similarly situated as the co-accused Jatinder Singh. Due to outbreak of the pandemic, COVID-19, not much progress is being made towards the conclusion of the trial.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts, if released on bail.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court/concerned Duty Magistrate.

It is made clear that the petitioner shall not try to contact the complainant or any other family members, directly or indirectly. Any such \ninfraction on the part of the petitioner shall entail cancellation of this bail. In case, the petitioner is found to be involved in any other similar matter subsequent to the registration of this FIR, the State is at liberty to move an application for cancellation of bail granted to the petitioner in this case.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

August 11, 2020
rts

(Lisa Gill)
Judge

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