

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

CRM-M-23078-2020

Date of Decision: 15.12.2020

Mandeep Singh**.. Petitioner****Vs.****State of Punjab****..Respondent****CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Amit Kumar Walia, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, AAG, Punjab.

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Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.23 dated 25.03.2019 registered under Sections 382, 458, 342, 427, 506 and 34 IPC and (Sections 397 and 201 IPC added later on), at Police Station Bakhshiwala, District Patiala. The petitioner is in custody since his arrest on 28.03.2019.

The above FIR was lodged by complainant Hamir Singh, wherein it was alleged that on 24.03.2019 when he was present at Ali Filling Station, Nabha Patiala Road at Village Rakhra, two persons who were armed with kirpan came there and took away cash of ₹7,000/- from the cash-box. During investigation, the petitioner along with co-accused Sukhpreet Singh and Ranjodh Singh were arraigned as accused.

Learned counsel for the petitioner contends that the investigation of the case is complete and the challan was filed before the Court on 29.05.2019. He has further invited the attention of the Court to the zimni orders, to contend that even charges have not been framed till date.

He submits that the trial of the case is likely to consume considerable time,

therefore, further custody of the petitioner may not be necessary. He prays for grant of regular bail.

On the other hand, learned State counsel, assisted by ASI Kewal Singh, has opposed the prayer and has produced the custody certificate by way of affidavit of Prabhjot Singh Officiating, Deputy Superintendent, District Jail, Rupnagar. It is pointed out that the petitioner is involved in two other cases of theft. However, it is not disputed that the charges are yet to be framed.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete and the trial is likely to take some time to conclude. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial. Admittedly, the petitioner is presently confined in judicial custody since 28.03.2019., therefore, his further detention may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Patiala.

The petition is allowed.

15.12.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No