

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

CRM-M- 23810-2020 (O&M)

Date of Decision: August 24, 2020

Lakhwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sahil Puri, Advocate
for the petitioner.

Ms. Samina Dhir, D.A.G., Punjab.

JAISHREE THAKUR, J. (Oral)

This is the third petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.90 dated 13.10.2016, under Sections 304-B, 34 Indian Penal Code, registered at Police Station Bholath, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR in 2016. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the father of the petitioner is an aged person and there is no one at home to look after him and that an application under Section 311 Cr.P.C. for additional evidence has been filed and that the conclusion of the

said application would take some time due to pandemic COVID-19 situation and that the petitioner has undergone substantial period of custody, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, she does not dispute the fact that the petitioner is in custody since last four years.

I have heard learned counsel for the parties.

In view of the restricted working of the Courts due to pandemic COVID-19 situation, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 2016 and has undergone substantial length of custody, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

August 24, 2020
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No