

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

CRM-M-24795-2020

Date of decision: 16.9.2020

Feroz Khan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Sunny K. Singla, Advocate for the petitioner

Mr.Mehardeep Singh, Addl.AG, Punjab

JITENDRA CHAUHAN, J.

The matter has been taken up through video-conferencing in the light of the pandemic Covid-19 situation and as per instructions.

By way of the present petition, the petitioner is seeking regular bail in case FIR No.113, dated 10.6.2020 registered under Sections 457, 380, 411 IPC at Police Station Sadar Ahmedgarh, District Sangrur.

Learned counsel for the petitioner states that the petitioner was not arrested from the spot, in fact, he was arrested from home. He further states that the incident in this case happened on the intervening night of 7/8.6.2020. However, the FIR came up to be registered on 10.6.2020. Allegedly four mobile phones have been shown to be recovered from him. He was arrested on 11.6.2020 and is in judicial custody since 18.6.2020.

Learned State counsel opposes the prayer of the petitioner and informs that four mobile phones of make 'Lava', 'Samsung', 'Motorola' and

'Galaxy' were recovered from him. He is involved in two more FIRs. Challan stands presented but the charges have not been framed in this case.

Heard.

Considering the facts that the petitioner is in custody since 11.6.2020; he was not arrested from the spot; and even the charges have not been framed therefore, there is total uncertainty with regard to the conclusion of the trial, particularly in the present scenario of Covid -19 pandemic, the Court feels that no useful purpose will be achieved by keeping the petitioner under further incarceration.

In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail during the pendency of trial on his furnishing bail bonds with two local sureties to the satisfaction of the trial Court/ CJM/ Duty Magistrate.

However, anything noticed hereinabove, shall not be construed as an expression of opinion on the merits of the case.

16.9.2020
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No