

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-26005 of 2020
Date of decision:01.12.2020

Rohit Mehta

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vinay Kumar Gupta, Advocate, for the petitioner.

Mr. Saurav Khurana, Deputy Advocate General, Punjab.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

The petitioner is seeking regular bail in case FIR No.126 dated 23.07.2020 registered under Sections 379-B/411 of Indian Penal Code, 1860 at Police Station City Moga, District Moga.

Counsel for the petitioner has argued that the petitioner has been falsely framed in the case as he is not named in the FIR. Except for recovery of cash of Rs.900/-, no other recovery has been effected from him. He asserts that the petitioner is in incarceration since 23.07.2020 and there is no other criminal matter pending against him. He submits that keeping in view the period of custody and the fact that the trial is likely to take time

due to outbreak of virus, the petitioner deserves to be released on bail.

Per contra, State counsel upon instructions from ASI Malkiat Singh could not dispute the fact that the petitioner has clean antecedents. He submits that investigation is complete and the challan has been presented.

I have considered the rival submissions of the parties.

Keeping in view the above facts and circumstances, nature of allegations, the gravity of offence and the fact that trial is likely to consume time due to spread of contagion, no purpose would be served by keeping the petitioner behind the bars any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that any observation made hereinabove shall not be construed to be a reflection of opinion on the merits of the case.

(SUVIR SEHGAL)
JUDGE

December 01, 2020
savita

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No