

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

(Heard through VC)

CRM-M-27741 of 2020 (O&M)
Date of Decision: September 29, 2020

Sahil Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Mohit Sadana, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.215 dated 10.06.2020, under Sections 457, 380 of Indian Penal Code, registered at Police Station Sadar Dhuri, District Sangrur.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner was arrested in case FIR No.220 dated 13.06.2020 registered at Police Station Sadar Dhuri, in which bail has been allowed to him. It is a case set up by the police that during the interrogation of

the said case i.e. FIR No.220 that the petitioner came to be nominated as an accused in the instant FIR as well as in FIR No.108 dated 03.06.2020 registered at Police Station City Dhuri. It is argued that on investigation, no recovery has been made from the petitioner herein. It is also argued that the matter has been investigated, as the challan has already been presented on 24.08.2020. It is also contended that because of limited functioning of the courts due to Covid-19 pandemic, it will take sufficient time to conclude the trial, as such, 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. However, she does not dispute the fact that challan has already been presented.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 17.06.2020; investigation is complete as the challan has already been presented and because of limited functioning of the courts due to Covid-19 pandemic, the trial is not likely to conclude in near future, 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 heavy surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for

the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

September 29, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No