

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

(Heard through VC)

CRM-M-28084 of 2020 (O&M)
Date of Decision: September 22, 2020

Gurpreet Singh @ O.P.

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Tanvir Singh Grewal, 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.73 dated 26.11.2018, under Sections 379-B, 427, 323 of Indian Penal Code (subsequently added Sections 395 and 397 of IPC vide DDR No.25 dated 26.05.2019) registered at Police Station Khuikhera, Tehsil and District Fazilka.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 31.03.2019. It is argued that the petitioner has been falsely implicated

in the present case. It is submitted that co-accused have already been allowed regular bail by this court vide Annexure P-2. It is also contended that challan has already been presented and charges have also been framed and due to Covid-19 pandemic, the courts are not functioning at their full strength, as such, trial is likely to take sufficient time to conclude.

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 there are serious allegations that have been levelled against the petitioner. However, she does not dispute the fact that charges have been framed in the matter and that co-accused have already been allowed regular bail by this court.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 31.03.2019, that charges have already been framed, that co-accused have already been allowed regular bail by this court and that trial is likely to take sufficient time to conclude because of limited functioning of the courts due to Covid-19 pandemic, 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.

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 22, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No