

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-29043-2020

Date of Decision: 30.9.2020.

Kulwant Singh @ Bali

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sukhmeet Singh, Advocate
for the petitioner (s).

Mr. Amar Ashok Pathak, Addl. AG, Punjab.

KARAMJIT SINGH, J.(Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

The present petition has been filed under Section 439 Code of
Criminal Procedure for grant of regular bail to the petitioner in case FIR
No.22 dated 17.2.2020 registered for the offences punishable under Sections
379-B, 34 of Indian Penal Code (for short, "IPC") at Police Station
Baghapurana, District Moga (Later on offence under Section 201, 411 IPC
was added).

I have heard the learned counsel for the petitioner and learned
Additional Advocate General, Punjab.

Learned counsel for the petitioner has submitted that the FIR in
this case was registered against two unknown persons alleging that they
snatched one bag containing Rs. 48,555/-, one tablet of i-ball company,
mobile phone having SIM No.79912-67550 of Airtel and 89295-94150 of

Vodafone and some other documents from Nadeem Khan employee of Satin Credit Care Finance Company on 17.2.2020. It is further contended that as per prosecution version, the petitioner was arrested in this case on 22.2.2020 and a sum of Rs.8,000/- was recovered from him. It is further contended that co-accused Beant Singh and Satnam Singh @ Sattu have already been granted bail by this Court.

On the other hand, learned State counsel has contended that the currency notes worth Rs.8,000/- were recovered from the petitioner. He has opposed the bail application on the ground that the trial is going on.

It is not disputed that the petitioner is in custody for the last more than 7 months. He was not named in the FIR. His co-accused having, similar allegations, have already been granted regular bail by this Court. It is brought to the notice of the Court that the trial is not progressing due to Covid-19 situation. So no useful purpose is going to be served by keeping the petitioner in custody for any further period. There is no apprehension on behalf of the State that if released on bail, the petitioner is likely to abscond or is likely to pressurize the prosecution witnesses.

In the light of the above, without commenting or expressing any opinion on the merits of the case, this petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Moga.

September 30, 2020

Paritosh Kumar

Whether speaking/reasoned

(KARAMJIT SINGH)

JUDGE

Yes/No

Whether reportable

Yes/No