

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

**CRM-M No.31320 of 2020
Date of Decision:12.10.2020**

AMIT KUMAR

...Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sant Pal Singh Sidhu, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate by way of affidavit of Deputy Superintendent, Central Prison, Patiala submitted by learned State counsel through email, is taken on record.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.54 dated 14.05.2020 registered under section 61 of the Punjab Excise Act, 1914, Sections 420, 465, 468, 471, 120-B, 188, 269 IPC of 1860 and Section 10 of the Disaster Management Act, 2005 at Police Station Shambhu, District Patiala.

Learned counsel for the petitioner states that the petitioner is an employee of a cold storage and he has nothing to do with the alleged recovery. It is further contended that the petitioner has been in custody since

14.05.2020 and that challan has already been presented in the Court. Moreover, two of the co-accused have been granted regular bail by the Sessions Court, whereas one co-accused has been granted regular bail by this Court. The trial is not likely to conclude any time soon due to prevailing Covid-19 pandemic.

Learned State counsel has pointed out that the petitioner was arrested from the spot itself. He, however, does not dispute the factum of grant of regular bail to the other co-accused, as noticed above, as also the fact that there is no other case pending against the petitioner. Similar is the position with regard to the custody period and presentation of the challan.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 14.05.2020 and challan has already been presented. The trial will take time to conclude on account of prevailing COVID-19 pandemic and no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

October 12, 2020

Jyoti-T Whether speaking/reasoned Yes/No Whether Reportable Yes/No