

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 32081 of 2020

Date of decision : October 16, 2020

Amar Chand

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Sukhjit Singh , Advocate
for the petitioner.

Mr. H. S. Sitta, AAG., Punjab.

Manjari Nehru Kaul, J (oral).

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No.54 dated 27.3.2018 under Section 307, 323, 341, 506, 148, 149, 302 IPC registered at Police Station Shaheed Bhagat Singh Nagar, Ludhiana.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case. He further contends that he has been in custody since 18.04.2018 and only 11 out of 25 prosecution witnesses cited have been examined so far which include the complainant and he was named as an accused only in the supplementary statement of the complainant, who did not support the case of the prosecution during trial. Thus, the trial is unlikely to conclude in the near future.

Per contra, learned State counsel, while opposing the prayer and submission of the learned counsel for the petitioner for regular bail, has on instructions from ASI Sunil Kumar, conceded that there were material contradictions in the testimonies of the witnesses during trial and the complainant did not support the case of the prosecution.

Heard.

Keeping in view the fact that the petitioner has been in custody since 18.04.2018 and due to the outbreak of the pandemic COVID-19 the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of regular bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

October 16, 2020
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No