

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-33765-2020

Date of decision: 05.11.2020

Jagat Roy

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Ms. R.K. Grewal, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Jagat Roy, stated to be aged 40 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.167 dated 26.09.2019, registered under Sections 363 & 366 A of Indian Penal Code, at Police Station Anaj Mandi, District Patiala (Punjab).

Learned counsel for the petitioner, based on the pleadings in the petition, submits that the petitioner was also stated to be tenant of Sarabjeet Singh @ Goldy, resident of Abchal Nagar, Anaj Mandi, Patiala. She further submits that investigation in this case is complete, however, the trial would take long time, specially, because of present situation due to COVID 19. She submits that the petitioner and his family members are now residing in Village Daggaparra, District Jalpaiguri (West Bengal) and are thus not likely to misuse

the concession of bail.

Learned State counsel makes reference to the status report filed by way of affidavit of Saurav Jindal, PPS, Deputy Superintendent of Police, City-2, Patiala, on behalf of the respondent-State. In Para 7 of the said affidavit, it has been stated that since the petitioner is stated to be resident of West Bengal, further information regarding his family members is not possible to be obtained at an early date. He submits that in this case, investigation is complete, challan has been presented on 08.11.2019 and charges have also been framed on 29.11.2019. It is also stated that there are total of 19 witnesses, but, none has been examined till date.

Faced with the situation, learned counsel for the petitioner further submit that in view of the COVID situation, detention of the petitioner in jail would be dangerous to his life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail/surety bonds.

However, it is made clear that anything observed herein shall not be construed to be an expression on merits of the case.

Disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

05.11.2020

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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No