

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

208

CRM-M No.34215 of 2020 O&M)

Date of decision:16.11.2020

Mukesh Kumar

... Petitioner

Vs.

State of U.T., Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Dr. Juhi Goel, Advocate for the petitioner.

Ms. Ashima Mor, APP for U.T., Chandigarh.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

CRM-28024-2020

For the reasons given in the application, same is allowed.

Orders, Annexures P-4 to P-7 are taken on record.

Main case

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.04, dated 16.01.2020 registered under Sections 419, 420, 468, 471 and 120-B of IPC at Police Station 19, Chandigarh.

Counsel for the petitioner has submitted that the petitioner had joined the call centre as an employee just a few days before the

registration of the FIR in question. She argues that no specific allegation has been levelled against the petitioner in the FIR. She asserts that the matter has been amicably settled between the complainant and the accused by way of a compromise dated 29.02.2020. A petition for quashing bearing CRM-M-10148-2020 has been filed for quashing of the FIR on the basis of the said compromise, wherein report has been called from the trial Court for 09.12.2020. She has drawn parity with order dated 24.06.2020, Annexure P-4 passed by this Court in CRM-M-13910-2020, ***Manish Kumar Vs. U.T., Chandigarh***, whereby the co-accused was granted concession of regular bail. She has further submitted that the challan has been filed but the trial is not progressing due to the outbreak of Corona Virus (Covid-19).

Per contra, learned counsel appearing for the U.T., Chandigarh, upon instructions of SI Suneel Kumar, Cyber Cell, Chandigarh has opposed the petition. She, however, was not in a position to dispute the factual position. State counsel points out that there is another FIR pending against the petitioner.

I have considered the rival submissions of the parties.

Keeping in view the above facts and circumstances, period of incarceration of the petitioner, nature of allegations, gravity of offences and the fact that the trial is likely to consume time due to spread of contagion, no useful purpose would be served by keeping the petitioner behind the bars any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on

his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that any observation made hereinabove shall not be construed to be a reflection of opinion on the merits of the case.

16.11.2020
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No