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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35493-2020
Date of Decision: 05.11.2020

Heera Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Gursimran Singh Bhatia, Advocate,
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G, Punjab
for the respondent-State.

SUDIP AHLUWALIA, J.

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No. 238, dated 02nd August, 2020, registered under Sections 420/328 of the Indian Penal Code, 1860 and 61/63 the Punjab Excise Act, 1914, Police Station Jandiala, Amritsar.

2. Petitioner has undergone detention for almost two and half months since 17.08.2020. It transpires that FIR was drawn up on the basis of a secret information.

3. Obviously, no recovery was effected from the petitioner directly. There is no other tangible material to show involvement of the petitioner in the offences, as alleged.

3. In the circumstances, without commenting upon the other merits of the case, considering his long detention and keeping in view the

fact that the trial is likely to take a considerable time to conclude in view of the on-going Covid-19 Pandemic, at this stage, this Court is of the opinion that further detention of the Petitioner for an indefinite period is not justified. As such, he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

4. Disposed off.

05.11.2020
Parveen Sharma

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No