

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

232

CRM-M-37529 of 2020

Date of Decision: 01.12.2020

(through video conferencing)

Rahul Kang

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Sharma, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, 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.67 dated 04.03.2020 under Sections 379-B and 34 IPC and Section 25 of Arms Act, 1959, registered at Police Station Division No.6, District Ludhiana.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the FIR in question, which was registered against unknown persons. The petitioner was arrayed as an accused only on the statement of co-accused Sumit Sandhu, who has since been enlarged on bail by this Court vide order dated 21.07.2020. He further submits that similarly situated co-accused Rajesh Kumar has since been extended the concession of bail by this Court vide order dated 11.08.2020. He further contends that the petitioner is behind bars since 20.03.2020.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He,

on instructions from ASI Kanwaljit Singh, has conceded that the petitioner is not involved in any other case of similar nature.

Heard.

In view of the submissions made by learned counsel for the petitioner and keeping in view the fact that the petitioner has been in custody since 20.03.2020 and due to the outbreak of the pandemic Covid-19, the trial is not likely to conclude in the near future, I deem it is a fit case to grant the concession of regular bail to the petitioner. 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 concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

01.12.2020

D.Bansal

Whether speaking/ reasoned :	Yes/ No
Whether Reportable :	Yes/ No