

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

CRM-M-38666-2020(O&M)

Date of decision : 26.11.2020

Balwinder Singh @ Sonu

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. J.S. Thakur, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'CrPC') for grant of regular bail to the petitioner in FIR No.244 dated 15.06.2020 under Sections 341, 379-B, 34 of the Indian Penal Code, 1860 (Section 201 IPC added later on) registered at Police Station Division No.5, District Jalandhar Commissionerate.

Learned counsel for the petitioner would contend that there is no injury which has been attributed to the petitioner. He would further contend that there is a delay of five days in lodging the FIR. The petitioner has been in custody since 15.06.2020.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab, on instructions from ASI Balwinder Kumar, has contended that the role attributed to the petitioner is that he came in front of the motorcycle and, therefore, the

complainant fell from his motorcycle. He has further contended that an iron '*datar*' has been recovered from the petitioner. Learned counsel for the State is, however, not in a position to deny the fact that no injury has been attributed to the petitioner and there has been no recovery of any of the articles from the petitioner which are said to have been snatched from the complainant. He has further contended that the challan has been presented in the present case.

In view of the above and considering the fact that the trial is likely to take some time to conclude especially in view of the prevailing conditions on account of COVID-19 pandemic, without commenting upon the merits of the case, I deem this to be a fit case for grant of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is, however, made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

26.11.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO