

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34897-2019

Date of Decision: 23.12.2020

Raj KumarPetitioner

Versus

State of Punjab..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...
(through video conferencing)

Present: Mr. Maninder Arora, Advocate
for the petitioner.

Mr. J.P.Ratra, DAG, Punjab.

...

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 0176 dated 22.12.2018 under Sections 420, 465, 467, 468, 471, 120-B IPC registered at Police Station Sadar, Phagwara, District Kapurthala.

Learned counsel submits that the petitioner has been in custody since 16.05.2019 for the aforementioned offences which are triable by a Magistrate. He further submits that the trial is unlikely to conclude in the near future as only 01 out of the 31 prosecution witnesses cited has been examined so far. It has also been submitted that it is essentially a civil dispute pertaining to the sale deed in question which has been given a criminal complexion.

Per contra, the learned State counsel, on instructions from ASI Balwinder Singh, has opposed the submissions and prayer made by the learned counsel for the petitioner by urging that the petitioner is also involved in another FIR No.11 dated 31.08.2020 under Sections 465, 467, 420, 409 and 120-B IPC registered by Vigilance Bureau, Jalandhar. However, the learned counsel for the petitioner has urged that the subsequent FIR has been registered in consequence to the FIR in question.

Heard.

In view of the submissions made by the learned counsel and keeping in view that the petitioner has been in custody since 16.05.2019 and no useful purpose would be served by keeping him behind bars as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19, I deem it a fit case to grant the concession of regular bail. The petition is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

December 23, 2020
S.Sharma/rupi

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