

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

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CRM-M-42161-2020 (O&M)

Date of decision : 21.12.2020.

Harpreet Singh @ Sunny

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Gurjinder Singh Thind, Advocate, for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This is a petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.311 dated 08.11.2020 under Sections 379-B, 34, 411 of the Indian Penal Code, 1860 ('IPC' for short) registered at Police Station Civil Lines Patiala.

Learned counsel for the petitioner would state that there is a delay of 6 days in lodging the present FIR. Learned counsel for the petitioner would further contend that the petitioner has falsely been implicated in the case and the petitioner was not named in the FIR and that the same was registered against unknown persons.

Learned State counsel, on instructions from ASI Pawan Kumar, has stated that the FIR was infact filed after delay of 06 days and that no one was named in the FIR. Learned counsel for the State has, however, pointed out that the motor-cycle bearing registration No.PB-11-CR-3263 has been recovered from the co-accused Brijesh Kumar. Learned State counsel further states that there is no other case pending against the present petitioner.

I have heard learned counsel for the parties.

In view of the above, without commenting upon the merits of the case 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, I deem it to be a fit case to grant the concession of regular bail to the petitioner. Accordingly, the present petition is allowed and 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 also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

December 21, 2020
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Yes/No
 Whether reportable: Yes/No