

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

204

CRM-M-51504-2019

Date of decision : 31.07.2020.

Karan Pal Singh @ Karan

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr.Rahul Bhargava, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.103, dated 18.07.2019, under Sections 379-B, 34 IPC (Section 411 IPC added later on), registered at Police Station Satnampura, district Kapurthala.

Learned counsel for the petitioner contends that the allegations in the FIR are that three persons had snatched the key and taken away the motorcycle of the complainant. He, however, contends that the petitioner has been falsely implicated in this case as earlier also he was involved in false cases. He was acquitted in one of them and cancellation report was accepted in another case. He further contends that similarly situated co-accused, namely, Gurjeet Singh @ Gagga @ Jagga had been released on regular bail by the trial Court on 06.09.2019. He also contends that the petitioner is in custody for over one year.

Learned State counsel, upon instructions from ASI Mukesh Kumar, contends that although challan has been filed but no prosecution witness has been examined. He has referred to the affidavit filed by the Deputy

Superintendent of Police, Sub Division Bhagwara, district Kapurthala wherein

it is mentioned that although an FIR against the petitioner was cancelled and cancellation report was accepted by the trial Court and he was also acquitted in another case, the petitioner was convicted in one case for preparation of an assembly for committing dacoity.

At this juncture, learned counsel for the petitioner contends that the petitioner was convicted only for preparation and no dacoity was actually committed by him.

Heard through video conferencing.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is in custody for over one year; co-accused has been granted bail; the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, the petitioner shall not try to contact or influence any of the witnesses and shall appear before the Police Station Satnampura, district Kapurthala on every Monday till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

July 31, 2020
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No