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

CRM-M No. 54385 of 2019
Date of Decision: 23.11.2020

Devender Singh

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashish Pal Kaushal, Advocate,
for the petitioner.

Mr. Randhir Singh Thind, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.41 dated 07.04.2018 under Sections 365, 382, 34, 392, 386, 379-B (2) IPC and under Sections 25/54 of Arms Act registered at Police Station GRP Sirhind.

FIR was registered on the statement of Daljit Singh. Prosecution story is that the complainant had gone to duty on his motorcycle in ICON Computer company. He withdrew an amount of Rs.20,000/- from ATM on his way back to home. When he reached near Railway Bridge, at about 8.00 PM, one

car came and stopped in front of his motorcycle. 04 persons alighted from the car duly armed with sticks and kirch and forcibly made him to sit in the car. One person out of aforesaid 04 persons started driving his motorcycle. They snatched an amount of Rs.20,000/-, ATM card and mobile phone from the complainant. They withdrew some amount from the ATM card of the complainant thereby making tally of robbed amount to the tune of Rs.44,000/-.

Petitioner was in custody in FIR No.91 registered under Sections 392/411 IPC and he was taken on production warrants in this case.

Learned counsel for the petitioner submits that the petitioner is on bail in the aforesaid FIR and nothing has been recovered from the petitioner in the present case despite police remand.

Factual position of the case could not be disputed by learned State counsel on instructions from ASI Jagdev Singh, however, submits that complicity of the petitioner is writ large on the basis of prosecution version.

Petitioner is in custody since 03.05.2018.

Out of 18 prosecution witnesses, 07 prosecution witnesses have been examined.

Trial of the case may take some time in its final culmination due to the situation arising out of pandemic COVID-19.

Owing to the situation arising out of pandemic COVID-19 and without meaning anything on the merits of the case, the petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

23.11.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No