

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

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**CRM-M-2028-2021 (O&M)
Date of decision : 19.01.2021.**

Jaspinder Singh Bains @ Pindu

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Sunil Agnihotri, 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.263 dated 04.11.2020 under Sections 379-B of the Indian Penal Code, 1860 ('IPC' for short) and Section 411 IPC (added later on) registered at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner has contended that the petitioner has falsely been implicated in the present case by his relatives who want to grab his property. Learned counsel would further contend that the petitioner is a farmer by profession and further that the petitioner is in custody since 05.11.2020 and the challan already stands filed.

Notice of motion.

On the asking of the Court, Mr. Ramandeep Sandhu, Sr. DAG, Punjab has put in appearance on behalf of the respondent-State through video conferencing and accepts notice. He, on instructions from ASI Sarabjit Singh, has stated that the recoveries have been affected in

the present case from the petitioner. However, it has also been stated that there is no other case pending against the petitioner and challan already stands presented.

In view of the above and 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, no useful purpose would be served by keeping the petitioner behind the bars any further. 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.

January 19, 2021
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(ALKA SARIN)
JUDGE

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