

Sr.No.225

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

CRM-M-3959-2021

Date of decision:24.03.2021

Pardeep Singh

... Petitioner

versus

State of Punjab

... Respondent

Coram: Hon'ble Mr. Justice Deepak Sibal

Present: Mr. L.S. Sidhu, Advocate
for the petitioner.
Ms. Samina Dhir, DAG, Punjab.

Deepak Sibal, J.(Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C for the grant of regular bail in FIR No 164 dated 31.12.2018 under Sections 420, 465, 467, 468, 471, 120-B IPC registered at Police Station Jhunir, District Mansa.

The petitioner is being prosecuted for having been found in possession of 18 bogus votes slips while he had gone to caste his vote for the election of Sarpanch and Panches at Booth No.77, village Jhunir, District Mansa.

Learned counsel for the petitioner contends that the petitioner who is 76 years of age has been falsely implicated in this case on account of political rivalry; the petitioner has been in custody since 06.12.2020; no further recovery is to be made from the petitioner; the petitioner has no

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other criminal case pending against him; the report under Section 173 Cr.P.C has already been filed and therefore, the petitioner is not in a position to influence the investigation and that the petitioner's trial which is yet to begin is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner was found in possession of 18 bogus votes.

The petitioner is 76 years old man; there is no other criminal case pending against him; he is in custody since 06.12.2020; the report under Section 173 Cr.P.C has already been filed and therefore the petitioner is not in a position to influence the investigation and that the petitioner's trial which is yet to begin is likely to take a long time to conclude especially in the present circumstances when the world is facing the Covid-19 pandemic.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Mansa, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

24th March, 2021

Shivani Kaushik

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No

[DEEPAK SIBAL]

JUDGE