

209

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.8097 of 2020 (O&M)

Decided on: 12.01.2021

Mitha Lal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. A.S. Kakkar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.209 dated 15.11.2019, for offence punishable under Sections 420, 34 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Sadar Faridkot, District Faridkot.

Counsel for the petitioner has argued that as per the allegations in the FIR, the complainant has given a complaint against one Rajdeep Singh @ Binder as well as the petitioner i.e. Mitha Lal, that he has deposited the amount of Rs.1.25 lacs, Tarsem Singh has deposited the amount of Rs.1.15 lacs and Angrej Singh deposited the amount of Rs.2.60 lacs, total Rs.4.00 lacs, in the account of the petitioner for procuring a job in B.S.F.

Counsel for the petitioner has further submitted that in fact the petitioner was working as an employee with Rajdeep Singh and he fell into the trap and has deposited the amount in the account of the

CASE HEARD THROUGH VIDEO CONFERENCING

petitioner and the same was taken by Rajdeep Singh.

Counsel for the petitioner has further argued that the petitioner is in custody for the last 01 year and 01 month and he is not involved in any other case. It is also submitted that the trial is not proceeding due to the COVID-19 situation in the country.

Counsel for the State could not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is the first offender; he is in custody for the last more than 01 year and 01 month; he is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

12.01.2021

yakub

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No