

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

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**CRM-M-13664-2021(O&M)
Decided on : 22.04.2021**

TARUN KUMAR @ BOBBY SHARMA

. . . Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Ms. Satinder Kaur, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab
assisted by ASI Amarjit Singh.

MANJARI NEHRU KAUL, J. (Oral)

This is the 2nd petition filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No.284, dated 25.09.2020 under Sections 420, 467, 468, 471, 120-B IPC, 1860 registered at Police Station Division No.5, District Police Commissionerate, Ludhiana.

The first petition was withdrawn on 21st January 2021. On a pointed query put to the learned counsel as to what are the changed circumstances subsequent to the withdrawal of her earlier petition, she has apprised the Court that charges stand framed against the petitioner and in addition to that similarly situated co-accused has since been extended the concession of bail by this Court vide order dated 04.03.2021.

Learned counsel has further submitted that a perusal of the FIR in question leaves no manner of doubt that a false case has been planted upon him. She further submits that the petitioner has been in custody since 23rd September, 2020 and there is no likelihood of the trial concluding any time in the near future. Hence, he may be extended the concession of bail as the offences are triable by Magistrate.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner on instructions from ASI Amarjit Singh has apprised the Court that the petitioner was not only named in the secret information received by the Police but subsequently 06 other vehicles and 3 fake RCs of vehicles were recovered from his possession, which leaves no manner of doubt that he had been actively involved in the crime in question.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

April 22, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*