

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

CRM-M-16580-2021

Date of Decision: 27.04.2021

HARWINDER SINGH

.....Petitioner

V/s.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Sandeep Kumar Bokolia, Advocate,
for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.
Assisted by ASI Bhupinder Singh.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.08 dated 20.01.2021 lodged under Section 379-B/34 of the Indian Penal Code, 1860 registered at Police Station City Kotkapura, District Faridkot, Punjab.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case in hand by the complainant as he was nursing a grudge against the petitioner on account of previous enmity. He further submits that the petitioner has been in custody since 20.01.2021 and there is no likelihood of the trial concluding in the near future as only challan stands presented so far. It has been further apprised to the Court that the petitioner is not involved in any other criminal case.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from

ASI Bhupinder Singh, has submitted that the petitioner alongwith co-accused had snatched the mobile phone of the complainant while he was on going foot. He has further submitted that the petitioner was already known to the complainant and was thus, named in the FIR which was lodged soon after the occurrence. He submits that the delay in the conclusion of the trial has been on account of outbreak of pandemic COVID-19.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 20.01.2021, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic COVID-19, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

April 27, 2021
Ess Kay

[MANJARI NEHRU KAUL]
JUDGE

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