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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M-12766-2020 (O&M)
Date of Decision: April 19, 2021

Davinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Jasneet Mehra, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.15 dated 19.01.2020, under Section 379-B IPC, 1860, registered at Police Station, Jamalpur Ludhiana, District Ludhiana. The petitioner is in custody since his arrest on 19.01.2020.

The above FIR was registered on the statement of Sandeep Kaur, wherein it was stated that on 19.01.2020 around 11.00 a.m., she was going to home by foot and when she reached at the turn of Beant colony, Street No.1, an unknown person snatched her phone marka Samsung A-10 and ran away.

Learned counsel for the petitioner contends that the trial is likely to consume considerable time, therefore, the further detention of the petitioner may not be necessary and prays for bail.

On the other hand, learned State counsel assisted by ASI

Palwinder Pal has referred to the reply as well as the custody certificate to contend that the petitioner is involved in three more cases of similar nature. However, it is not disputed that the charges in this case were framed recently on 15.03.2021, but no prosecution witness has been examined so far.

Considering the above background, custody of the petitioner and the fact that the trial in the above FIR is likely to consume considerable time to conclude as the global pandemic, namely, COVID-19 has again picked up aggression and is spreading fast and it may delay the completion of trial, therefore, further custody of the petitioner, who is presently confined in judicial custody after his arrest on 19.01.2020, may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Ludhiana.

April 19, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No