

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

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CRM-M-20860-2021

Date of Decision: June 11, 2021

Rupesh Kumar Giri

.....Petitioner.

VERSUS

State of Punjab

.....Respondent.

CORAM:- Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Karambir Singh Nalwa, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, A.A.G. Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Rupesh Kumar Giri, stated to be aged 24 years, has filed the present petition *inter alia* with a prayer for grant of regular bail to him in case FIR No.96 dated 19.05.2020 registered under Sections 307, 341, 506, 109, 120-B and 34 of Indian Penal Code, 1860 at Police Station Sahnewal, District Ludhiana.

Records of the case shows that on 28.05.2021, the case was adjourned on the request of learned State counsel for 11.06.2021.

Learned counsel for the petitioner submits that in fact, prior to this FIR, the petitioner was the complainant in FIR No.78 dated 25.04.2020 (Annexure P-2). He further submits that present FIR is ill motivated and is

a counter blast to the earlier FIR. He further submits that the petitioner has already undergone one year of custody and the trial is likely to take some time.

Learned State counsel, on instructions from ASI Kulwinder Singh, submits that challan qua the petitioner was filed on 05.08.2020. There are total 22 witnesses but none has been examined till date. He further submits that there is no other case in which the petitioner is involved except the earlier FIR No.78 dated 25.04.2020, where the petitioner is, in fact, a complainant.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to his furnishing bail bonds/surety bonds.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

June 11, 2021.
Sachin M.

(GIRISH AGNIHOTRI)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*