

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

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**CRM-M-23177-2021
Decided on : 29.06.2021**

Kamaldeep Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. R.S. Bains, Sr. Advocate with
Mr. M.S. Chauhan, Advocate
for the petitioner(s).

Mr. M.S. Nagra, AAG, Punjab
assisted by SI Gurditta Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 58, dated 08.06.2020, under Sections 399, 402 and 412 (added later on) IPC and Sections 25, 27 of the Arms Act, registered at Police Station Kot Isse Khan, District Moga.

Learned Sr. counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand on the basis of an alleged secret information. He further submits that the petitioner is not a man of criminal antecedents and a recovery of Rs. 14,000/-, has been planted upon him in pursuance to a disclosure statement allegedly made by him before the investigating agency. Learned Sr. counsel further submits that subsequent to the withdrawal of the first petition under Section 439 Cr.P.C. on 14th January, 2021, similarly situated co-accused have since been extended the concession of bail. Learned Sr. counsel submits that the trial is unlikely to

conclude in the near future as only charges stand framed as on date.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from SI Gurditta Singh, has conceded that the co-accused, who have since been extended the concession of bail are similarly placed as the petitioner. He has further submitted that a recovery of Rs. 14,000/- along with a Baseball bat was effected from the petitioner.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been in custody since 07.06.2020, 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 to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 29, 2021

J.Ram

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