

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-29008-2021
Decided on : 30.07.2021

Harshpreet Singh @ Dhandi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Atul Goyal, Advocate
for the petitioner.

Mr. H.S.Multani, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.49 dated 08.05.2021 registered under Sections 363, 366 IPC,1860 (Sections 323, 341, 346 and 120-B IPC added later on) at Police Station Sadar Jagraon District Ludhiana Rural.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand, which is evident from the fact that neither was the petitioner named in the FIR, not attributed any role in the crime nor in the statement of the prosecutrix recorded under Section 164 Cr.PC. He submits that the name of the petitioner came to light after 45 days of the alleged occurrence and that too in the supplementary statement of the complainant recorded under Section 161 Cr.PC. He further submits that his case is at parity with that of co-accused Karamandeep Singh @ Karman and Mangal Singh, whose name too cropped up in the supplementary statement of the complainant and were granted bail by this

Court vide orders dated 29.07.2021 and 13.07.2021 respectively. The petitioner has been in custody since 01.07.2021 and hence, prayer has been made for extending the concession of bail to the petitioner.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He on instructions has conceded that the case of the petitioner is at par with that of co-accused Karamandeep Singh @ Karaman and Mangal Singh, who have since been granted the concession of bail by this Court.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 01.07.2021, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, 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.

(MANJARI NEHRU KAUL)
JUDGE

30.07.2021
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No