

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

***(Through Video Conferencing)***

**CRM-M-32820-2021**

***Date of Decision: 19.08.2021***

**SHUBHAM VISHKARMA**

.....*Petitioner*

**V/s.**

**STATE OF PUNJAB**

.....*Respondent*

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

Present:    Mr. Kuldeep V. Singh, Advocate,  
for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

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**MANJARI NEHRU KAUL, J. (Oral)**

This is the second petition filed under Section 439 of the Code of Criminal Procedure for grant of concession of regular bail to the petitioner in case FIR No.182 dated 19.08.2017 lodged under Section 379 and 420 of the Indian Penal Code, 1860 (Section 66 of the Information Technology Act, 2000 added later on) registered at Police Station Model Town, District Ludhiana, Punjab.

Learned counsel for the petitioner, *inter alia*, contends that the petitioner has been in custody since 05.10.2017 for offences which are essentially triable by the Magistrate. Learned counsel for the petitioner submits that subsequently to the withdrawal of the previous petition, similarly situated co-accused has since been extended the concession of bail and two out of nine prosecution witnesses cited stand examined.

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

ASI Pardeep Kumar, has submitted that the petitioner is a man of criminal

antecedents in as much as, there are a number of similar cases registered against him. However, he has been unable to controvert the fact that the other co-accused, who have been extended the concession of bail, were also involved in other cases.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner has been in custody since 05.10.2017, the trial is unlikely to conclude in the near future, 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.

**August 19, 2021**

Ess Kay

**[ MANJARI NEHRU KAUL ]  
JUDGE**

*Whether speaking / reasoned* : Yes / No

*Whether Reportable* : Yes / No