

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

214(3)

**CRM-M-31354-2020
Decided on : 14.01.2021**

TARUN KUMAR

. . . Petitioner

Versus

STATE OF PUNJAB

. . . Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Inderjit Sharma, Advocate
for the petitioner.

Mr. H.S. Sitta, AAG Punjab
assisted by ASI Hardam 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. 0061, dated 27.06.2020, under Sections 307, 324, 323, 326, 506, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station Doraha, District Khana.

Learned counsel for the petitioner contends false implication of the petitioner is evident from the fact that he was neither named in the FIR in question nor any role attributed to him in the alleged crime. Rather, he was arraigned as an accused only on the basis of the disclosure statement of co-accused Jatinder Kumar @ Tinda wherein he disclosed that the petitioner had accompanied him to the place of occurrence. It has been further submitted that the petitioner has been in custody since 30.06.2020, and the trial is unlikely to conclude in the near future as only challan has been presented till date. Learned counsel has submitted that petitioner is not involved in any other criminal case, hence, he may be extended the concession of regular bail.

Per contra, learned State counsel while opposing the prayer and

submissions made by learned counsel for the petitioner on instructions from ASI Hardam Singh has not been able to controvert the factual aspect of the submissions so made by the learned counsel for the petitioner. He has very fairly conceded that the petitioner's name figured for the first time only in the disclosure statement of co-accused Jatinder Kumar @ Tinda and no specific attribution other than that he had accompanied co-accused Jatinder Kumar @ Tinda to the place of occurrence has come on record.

Heard.

In view of the submissions made by learned counsel for the parties, 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 as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 14, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*