

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-38620-2021

DATE OF DECISION: 09.11.2021

PARDEEP KUMAR SHARMA

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. Varinder Basa, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 279 dated 23.12.2020, under Sections 306, 506 read with Section 34 of the Indian Penal Code, 1860, Section 66 of the Information and Technology Act, 2000 added vide DDR No.32 dated 28.12.2020, registered at Police Station Dhariwal, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner, who is the brother of deceased Bharti, had invested money in Modi Care Company wherein Bharti was a director. Several other persons had also invested money in the Company and as the petitioner was Bharti's brother, they had been demanding their money back from him. He has referred to a copy of the WhatsApp messages sent by the petitioner to his sister Bharti on 24.11.2020 and 25.11.2020 at Annexure P6 wherein he was asking his sister Bharti not to take any foolish steps and come back home and he was also telling her to return his money as he reposed trust in her in view of their sibling relationship. He is in custody for about 5 months.

Learned State counsel, upon instructions from ASI Raj Masih, contends that challan has been presented but no prosecution witness has been examined. He has filed custody certificate which indicates that the petitioner is in custody for a period of 4 months and 20 days.

Learned counsel for the complainant states that there are serious allegations against the petitioner and he is also involved in other cases.

Heard.

In view of the above, especially when the petitioner is in custody for about 5 months, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

09.11.2021

SwarnjitS

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