

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-26605 of 2015
Date of Decision: 11.12.2015.

Pardeep Kumar @ Deepu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.Prashant Vashisth, Advocate
for the petitioner.

Mr. R.P.S.Sidhu, AAG, Punjab

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No. 41 dated 16.3.2015 under Section 364, 392, 34 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Model Town, Ludhiana City.

Learned counsel for the petitioner has submitted that the vehicle in question has been recovered. Petitioner is in custody since 19.3.2015. Trial Court had declined bail to the petitioner on the ground that he was facing trial in another case. However, petitioner has been acquitted in FIR No. 72 dated 16.4.2013, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('Act' for short) at Police Station Division No. 5, Ludhiana vide order dated 24.9.2015.

Learned State counsel, on the other hand, has opposed the petition.

In the present case, prosecution story, in brief, is that petitioner and his co-accused had forcibly taken the car of the complainant. Admittedly, the car belonging to the complainant has been recovered. Petitioner is in custody since 19.3.2015. There was one case pending against the petitioner under the Act. However, petitioner has been acquitted in the said case vide order dated 24.9.2015. Challan has already been presented in the Court and conclusion of trial may take time.

Accordingly, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner be admitted to bail subject to the satisfaction of Chief Judicial Magistrate, Ludhiana.

**(SABINA)
JUDGE**

**December 11, 2015
Gurpreet**