

CRM-M-28536-2015

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

CRM-M-28536-2015.

Decided on: September 4, 2015.

Amrik Singh

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.R.S.Rai, Sr. Advocate, with
Mr.Karan Pathak, Advocate,
for the petitioner.**

Mr.Jashan Preet Singh, AAG., Punjab.

M.M.S. BEDI, J. (ORAL)

Petitioner seeks concession of regular bail in a case registered at the instance of police official alleging that a secret information had been received that the petitioner belongs to a gang and while on parole in an NDPS Act case he had hatched a conspiracy for looting, snatching and drug paddling on highways and could be apprehended. The FIR was registered on 2.11.2014 but as per story of the prosecution he fled away. The petitioner was allegedly arrested on 8.11.2014 along with intoxicating powder, a country made pistol and live cartridges.

Counsel for the petitioner has, inter alia, argued that the petitioner has been falsely implicated in the case as on the complaint of Jaswinder Kaur mother of the petitioner the matter was

enquired into by SDM. As per the report of the SDM, the petitioner had surrendered at about 10:00 AM on 8.11.2014 in the Central Jail, Patiala and the said fact stands recorded in CCTV footage. In this context, statements of guards seem to have been recorded.

Without expression of any opinion on merits of the case, it is sufficient to observe that recoveries have already been effected. Challan has been presented. The petitioner has been able to prima facie establish that there is a debatable issue regarding the time of his arrest as shown in the police report.

In view of above, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction to the trial Court.

(M.M.S.BEDI)
JUDGE

September 4, 2015.
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