IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-37207 of 2015.
Decided on:-06.11.2015.

Davinder Pal Singh @ Kaku.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. I.P.S. Sabharwal, Advocate
for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.147 dated 15.12.2014 under Sections 458, 34 IPC (Section 34 IPC deleted and Section 411/120-B IPC added later on) registered at Police Sation Division No.1, Ludhiana City, District Ludhiana.

Learned counsel for the petitioner submits that apart from the fact that there is contradiction in the description of the petitioner, the petitioner has been cropped in the case falsely. The alleged recovery has been planted. It is unsafe to presume that the petitioner-accused will retain the same currency notes in the envelope. Therefore, the alleged recovery is also not substantiated by any evidence. Even the recovery of the amount to the extent of Rs.1.5 lacs is also incorrect.

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Learned State counsel, on the other hand, submits that there are serious allegations against the petitioner as during investigation, recovery of huge amount has been effected from him.

I have heard learned counsel for the parties.

The earlier bail application filed by the petitioner by way of CRM-M-21452 of 2015 was dismissed as withdrawn vide order dated July 13, 2015 passed by this Court. The bail application filed by the petitioner-accused before the trial Court was dismissed vide order dated 3.9.2015, which led to the filing of the present petition.

A bare perusal of the FIR shows that there are serious allegations levelled against the petitioner. During the course of investigation, recovery of huge amount was effected from him which was allegedly stolen from the house of the complainant.

Therefore, I do not find any merit in the present petition and the same is dismissed.

However, it is made clear that the observations made hereinabove shall not be construed as any expression on the merits of the case.

(HARI PAL VERMA)
JUDGE

November 06, 2015
Yag Dutt

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