

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

CRM-M- 4705 of 2015

Date of decision: March 23, 2015

Deepak @ Deepa

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.P. Soi, Advocate for the petitioner.

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

Jaspal Singh, J.(Oral)

Instant petition has been preferred by Deepak @ Deepa under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No. 464 dated November 27, 2014 under Section 394 IPC, registered at Police Station City Nakodar, District Jalandhar.

Undisputedly, the name of petitioner and any role attributed to him did not figure in FIR. However, during investigation of this case, he was named as an accused as per disclosure statement of his co-accused namely Manpreet Singh. No injury has also been attributed to the present petitioner. Even, after his arrest only a sum of ₹600/- is alleged to have been recovered from him. He was arrested in this case on December 01, 2014 and since then he is behind the bars. It is a debatable question whether statement made by co-accused unfolding the name and role of petitioner are admissible in evidence. Challan has already been presented and now the case is stated to have been fixed for prosecution evidence. There is no likelihood of disposal of challan in the near future.

In view of what has been discussed above, instant petition is allowed and learned trial Court is directed to release the petitioner on bail subject to its satisfaction.

March 23, 2015

**(JASPAL SINGH)
JUDGE**