

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7739 of 2015 (O&M)

Date of decision:-25.5.2015.

Vicky

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. N.S Sodhi, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking the concession of regular bail to the petitioner in case FIR No.153 dated 19.10.2014 under Sections 399/402 IPC, registered at Police Station Division No.5 Jalandhar, District Jalandhar.

Counsel for the parties have been heard.

FIR in question was registered on the basis of secret information having been passed to a patrolling party against a number of persons including the present petitioner, namely, Vicky as regards a criminal gang having been formed with an intention to commit robbery and dacoity in Jalandhar City.

Learned State counsel would oppose the prayer for grant of regular bail to the petitioner by submitting that during the course of investigation, co-accused have suffered a disclosure statement with regard to an attempt having been made to break an ATM machine located near SD

College a few days prior to the registration of the FIR. State counsel further submits that even recovery of a gas cylinder has been effected from the petitioner and he is a habitual offender inasmuch as two other FIRs i.e. FIR No.150 dated 29.09.2014, under Sections 380/511 IPC, Police Station Bhargo Camp., Jalandhar and FIR No.152 dated 18.10.2014, under Sections 380/511 IPC, Police Station Division No.5, Jalandhar have also been registered against him.

Insofar as two FIRs noticed hereinabove, the petitioner is already on bail.

The petitioner has been in custody since 19.10.2014.

Investigation in the present case having been completed, challan was presented on 13.01.2015.

It may also be noticed that co-accused, namely, Amit Arya has been granted the benefit of regular bail by this court vide order dated 28.04.2015 passed in CRM No.M-9068 of 2015.

In the totality of circumstances, petitioner is held entitled to the benefit of bail.

Accordingly, prayer is allowed. Petitioner, namely, Vicky be enlarged on bail subject to the satisfaction of CJM/Duty Magistrate, Jalandhar.

Petition stands disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.5.2015

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