

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

CRM-M-2174 of 2016 (O&M)

Date of decision : 19.08.2016

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by SI Sukhdev Singh.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.260 dated 05.08.2015, registered under Sections 380, 457, 436, 427 and 201 of the Indian Penal Code (for short 'the IPC') read with Section 34 IPC, at Police Station Civil Lines, District Amritsar City.

The learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case. He is not named in the FIR and no recovery is effected from him.

On the other hand, the learned State counsel submits that the petitioner is involved in two more cases. However, as per the record the petitioner stands acquitted in one of the cases, whereas in the second case, the learned counsel for the petitioner asserts that the petitioner has been

falsely roped for preparation of theft. She further submits that challan has been filed and out of twenty prosecution witnesses, one has been examined so far.

Heard.

Considering the facts that out of twenty prosecution witnesses, one has been examined; challan stands presented; and no recovery is effected from the petitioner, no useful purpose would be achieved in keeping the petitioner behind the bars.

In view of above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

19.08.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No