

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

CRM-M-23996 of 2016 (O&M)

Date of decision : 14.09.2016

Jaspreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Abhinav Gupta, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Rajinder Kumar.

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 FIR No.1 dated 04.01.2016, registered under Section 379-B(II) of the Indian Penal Code (for short 'the IPC'), at P.S. Maqsudan, Jalandhar.

It is contended that the petitioner is not named in the FIR. The petitioner has been roped in the incident which took place on 04.01.2016 on the basis of supplementary statement made on 07.01.2016, wherein the petitioner has been nominated as accused. The petitioner is in custody since 08.01.2016 and nothing was recovered from him. The petitioner is not involved in any other FIR, which fact is not disputed by the learned State counsel.

On the other hand, the learned State counsel submits that

challan has been filed and recovery of the motorcycle and Rs.64,000/- were recovered from the petitioner. She further states that after the disclosure statement another Rs.11,000/- was recovered from the petitioner.

Heard.

Considering the fact that the petitioner is in custody since 08.01.2016; challan stands presented; he is not involved in any other FIR; and not named in the present FIR, no purpose would be served in keeping the petitioner behind the bars, 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 and surety bonds, to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

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

14.09.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No