

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

CRM -M-28764 of 2016 (O&M)

Date of decision: 06.10.2016

Gurwel Singh @ Gurvail Sngh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Harminder Singh, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Chamba Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 77 dated 23.06.2016, registered under Sections 382 and 506 read with Section 34 of IPC, at Police Station Division No.2, Pathankot.

The learned counsel for the petitioner states that the petitioner along with Ashwani Kapoor purchased the vehicle in question from the original owner, Surinderjit Singh. The vehicle in question is mortgaged with Cholamandalam Finance company and the petitioner has been paying the instalments towards the loan amount. The petitioner is in custody since 03.07.2016.

On the other hand, the learned State counsel opposes the prayer of bail and submits that the petitioner is not the owner or co-owner of the truck. The truck in fact was purchased by Surinderjit Singh who

has further sold it to Ashwani Kapoor through General Power of Attorney.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the petitioner is in custody since 03.07.2016; out of total 11 PWs, none has been examined so far, therefore, it can be safely inferred that the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and 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.

06.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No