

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-33615 of 2016

Date of Decision: 27.09.2016

Harsh Kumar

...Petitioner(s)

Versus

The State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.104 dated 2.6.2016 under Sections 457/380/414/411 IPC registered at Police Station Chheharta, District Amritsar Rural.

Learned counsel for the petitioner submits that the petitioner is Goldsmith by profession and therefore, he has purchased a bangle, which is alleged to be a stolen article. He further submits that considering the fact that the petitioner is in custody since 23.7.2016 and the trial will take long time, he be released on regular bail.

Learned State counsel, on instructions from ASI Antar Singh does not dispute the custody period of the petitioner.

I have heard learned counsel for the parties.

The petitioner is a Goldsmith by profession and therefore, in day-to-day activities, he is bound to enter into such like transactions. Moreover, the fact as to whether the petitioner has committed an offence under Section 411 IPC is yet to be decided during trial. Therefore, considering the fact that the petitioner is in custody since 23.7.2016 and trial in the case will take sufficiently long time, I deem it appropriate to release the petitioner on regular bail. Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

Needless to say that expression made hereinabove shall not be construed as any opinion on the merits of the case.

September 27, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No