

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

CRM -M-37381 of 2016 (O&M)

Date of decision: 25.10.2016

Deepak Kumar @ Deepu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Tarunveer Vashist, Advocate for the petitioner(s).

Mr. Mehardeep Singh, Addl. A.G., Punjab

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. 157 dated 03.07.2016, registered under Sections 457, 380 and 411 of IPC, at Police Station City Rajpura, District Patiala.

It is contended that the petitioner is not named in the FIR and he has been falsely implicated in the instant case. The petitioner is not seen in the CCTV footage placed by the prosecution with the challan. It is stated that the alleged recovery has taken place in the close proximity of Mini Sand Court Complex, Rajpura which remains always under surveillance. No statement of the owner of the articles allegedly carried away by the petitioner has been recorded by the police. There is a delay of 17 days in lodging the present FIR.

On the other hand, the learned State counsel opposes the bail application.

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

Considering the fact that the challan stands presented; 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.

25.10.2016

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(JITENDRA CHAUHAN)
JUDGE

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