

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

CRM-M-40991-2016 (O&M)
Date of decision : 06.12.2016

Satwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Atul Goyal, Advocate for the petitioner.

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

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.68 dated 18.08.2016, registered under Section 379-B read with Section 34 of the Indian Penal Code, at P.S. Moti Nagar, Ludihana.

Contends that the same mobile phone has been shown to be recovered from the petitioner in FIR No.241 dated 25.08.2016, registered under Section 22 of the NDPS Act and Section 379-B of the IPC. The petitioner was formally arrested in this case on 09.09.2016.

On the other hand, learned State counsel has opposed the instant petition. It is contended that a mobile phone and a motorcycle have been recovered from the petitioner.

Heard.

The petitioner is not named in the FIR. He has been arrested in the instant case while he was already in custody in FIR No.241 dated 25.08.2016. He is

in custody since 18.08.2016.

Keeping in view the above and 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 trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

06.12.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No