

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

CRM-M-41068-2016 (O&M)
Date of decision : 28.11.2016

Harvinder Singh @ Ghanti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Shiv Charan Bhola, Advocate for the petitioner.

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

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.33 dated 02.03.2016, registered under Sections 399 and 402 of the Indian Penal Code and Section 25 of the Arms Act, at P.S. Sadar, Sangrur.

Learned counsel states that the petitioner has been falsely implicated in the instant case. There is no evidence to show that the petitioner along with the co-accused had been preparing to commit robbery. Earlier also, the petitioner had been implicated in five similar cases, wherein, he is on bail. Only a baseball has been shown to be recovered from the petitioner. He is in custody since 02.03.2016. Co-accused Hardeep Singh @ Happy and Jagjit Singh @ Jagga, have already been allowed bail.

On the other hand, learned State counsel has opposed the

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instant petition. On instructions, learned State counsel submits the petitioner is a habitual offender and involved in a number of similar FIRs. One motorcycle and one baseball was recovered from him. The charges stand already framed.

Heard.

During the course of hearing, learned counsel has furnished a copy of commitment order dated 24.05.2016, wherein, only baseball has been stated to be recovered from the petitioner. Though, the charges have been framed but the evidence is yet to start, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future.

Accordingly, without advertng 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.

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

28.11.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No