

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

(219)

CRM-M-4347-2016

Decided on: February 11, 2016.

Gurdeep Singh @ Deep Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. G.S. Samra, Advocate, for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner seeks concession of regular bail in a case registered on the basis of secret information alleging that the petitioner along with Hakam Singh @ Bunty, Rishav @ Bachi, Pardeep @ Shiva etc. had formed a gang and used to commit theft of mobile phones and they were to sell the same to Rajesh Kumar in abandoned quarters of village Chak Bhai Ke. On a raid having been conducted, the petitioner along with others was arrested. Petitioner was allegedly arrested along with a 'daant'.

On asking of the Court, on information supplied by ASI Pala Singh, it has been informed that the petitioner is not involved in any other criminal case in the area of Mansa.

After going through the contents of the FIR and nature of the allegations, it appears to be debatable issue whether prima facie offence under Section 399 IPC is made out or not.

Since recovery has already been effected and the petitioner has been in custody w.e.f. 11.12.2015, he can be granted concession of bail as challan has already been presented.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

February 11, 2016
harsha