

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

CRM-M-24306-2017 (O&M)

Date of decision: - 9.8.2017

Manoj Kumar @ Moji and anotherPetitioners

versus

State of PunjabRespondent

CORAM: - HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: - Mr. Sandeep Arora, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

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ARVIND SINGH SANGWAN, J. (ORAL)

This is a petition under Section 439 Cr. P.C. for grant of regular bail to petitioners in case FIR No. 150 dated 14.5.2017 under Sections 379-B, 392, 395 IPC and Section 25/54/59 of Indian Arms Act, registered at Police Station, Phillaur, District Jalandhar.

At the very outset, learned counsel for the petitioners submits that he wants to withdraw his prayer for regular bail qua petitioner No. 2-Ravi Kumar @ Bablu at this stage.

Dismissed as withdrawn at this stage qua petitioner No.2-Ravi Kumar @ Bablu.

Custody certificate dated 8.8.2017 in respect of petitioner No. 1-Manoj Kumar @ Moji has been filed in Court today. The same is taken on record.

Learned counsel for the petitioners submits that petitioner No. 1 is named in the FIR on the basis of a secret information and recovery of a mobile phone effected from him. He further submits that petitioner No. 1 is in judicial lockup since 16.5.2017 and is not involved in any other criminal case.

Learned counsel for the petitioners further submits that no recovery has been effected from petitioner No.1 in FIR No. 144 dated 22.7.2012 and it will take some more time in conclusion of the trial.

Learned State counsel, on instructions from ASI Kashmir Chand has not disputed the aforementioned fact and submits that challan has been presented only on yesterday i.e. 8.8.2017.

Keeping in view above and without commenting upon the merits of the case, present petition is allowed. Petitioner No. 1- Manoj Kumar @ Mouji is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case or found misusing concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

9.8.2017
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No