

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

CRL. MISC. No.M-27874 OF 2017
DATE OF DECISION : 8th AUGUST, 2017

Partap Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.268 dated 27.05.2017 registered under Sections 380, 454 & 34 IPC (Sections 379, 411 & 472 IPC added later on) at Police Station Civil Lines, Police Commissionerate Amritsar, District Amritsar.

Heard learned counsel for the rival parties.

The petitioner was arrested on 27.05.2017 in this case and since then he is in jail.

Learned State counsel submits that there is no other offence reported against the petitioner. The case of the prosecution is that the petitioner along with others had taken away 15-21 iron grills and iron shutter, old refrigerator and taps from the house of the complainant.

Learned counsel for the petitioner submits that no recovery is to be made from the petitioner as the recovery has already been made.

In view of the fact that no other offence of similar nature is registered against the petitioner and no recovery is to be made from the petitioner, in my opinion, a chance is required to be given to the petitioner to be at liberty rather than continuing his detention as under trial.

In that view of the matter, I am inclined to grant bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-27874 OF 2017 is allowed
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.

8th AUGUST, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>