

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-37571 of 2017
Date of Decision: 11.10.2017

Lovepreet Singh @ Lucky

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. PKS Phoolka, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.59 dated 08.07.2017 under Sections 379-B, 323, 34 IPC registered at Police Station Sadar Rampura, District Bathinda.

Learned counsel for the petitioner contends that the petitioner has not been specifically named in the FIR and it is only on the basis of disclosure statement of co-accused Hardeep Singh, the petitioner has been named as an accused. The petitioner is in custody since 13.07.2017 and there is no other case pending against him.

On the other hand, learned State counsel has filed the custody certificate of the petitioner and does not dispute the custody of the petitioner and the fact that there is no other case pending against him.

However, he submits that on the basis of disclosure statement made by co-accused Hardeep Singh, a kit bag of black and green colour along with certain documents was recovered from the petitioner. The complainant was robbed for Rs.10353/-, which he had collected from a group of ladies, who had paid their instalments of the loans taken by them and he was required to deposit the said amount with the bank.

I have heard learned counsel for the parties.

It is not in dispute that co-accused Hardeep Singh has already been granted bail. The petitioner is in custody because of the disclosure statement made by co-accused Hardeep Singh. No prosecution witness has been examined so far. Considering the fact that the petitioner is in custody since 13.07.2017 and trial in the case may take long time, I deem it appropriate to release them on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of their bail bonds/surety bonds to the satisfaction of trial Court.

Needless to say that the observations made hereinabove shall not be construed as any expression on the merits of the case.

October 11, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No