

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

CRM-M No.41313 of 2016
Date of decision: 8th May, 2017

Jorawar Singh alias Harman

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Bhavesh Aggarwal, Advocate for the petitioner.
Mr. Rupam Aggarwal, Dy. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Jorawar Singh alias Harman in this regular bail application filed under Section 439 Cr.P.C., are that on the basis of secret information, the petitioner was apprehended by the police on 04.10.2016 and from his possession a stolen motorcycle was recovered and subsequently he led to recovery of 4 more motorcycles.

Contentions of the learned counsel for the petitioner are that the petitioner is behind bars for more than 214 days and that in view of the allegations under Sections 411 & 379 IPC has undergone almost substantial incarceration as per the prescribed sentence and no case is made out under Section 413 IPC.

Though learned State counsel has sought to oppose grant of bail to the petitioner on the grounds of heinousness of the offence and

seriousness of allegations, and that a number of motorcycles have been recovered from the possession of the petitioner.

In the light of submissions of the two sides, in view of the substantial incarceration period and a debatable issue having been arisen as to the applicability of Section 413 IPC, without feeling necessity to advert on to the merits of the case and the fact that the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Amritsar.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 8, 2017
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No