

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

CRM-M No.41248 of 2017

Date of decision: 7th November, 2017

Avtar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Iqbal S. Mann, Advocate for the petitioner.

Mr. Ajay Pal S. Gill, Dy. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Avtar Singh in this regular bail application filed under Section 439 Cr.P.C. in case FIR No.115 dated 19.08.2017 registered at Police Station City Jalalabad(W), District Fazilka under Sections 392/34 IPC and Section 25/54/59 of the Arms Act, are that on 19.08.2017 around 8.30 p.m. the petitioner, who was known to the complainant Gurmeet Singh, is alleged to have called the complainant and forcibly took away Innova car bearing registration No.PB-05AE-9109 leading to registration of the present case, arrest of the petitioner and recovery of the vehicle in question.

Contentions of the learned counsel for the petitioner are that the petitioner is behind bars since 18.09.2017 and the recovery has already been effected and that trial is not likely to conclude in the near future.

Though on behalf of the State, much resistance is sought to be offered to the relief being sought by the petitioner on the grounds of seriousness of the allegations and heinousness of the offence.

Appreciating the submissions of the two sides, since the petitioner has already remained in custody for almost two months and that the investigation and trial are likely to take long time to conclude and the culpability, if any, shall be determined at the trial, 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, Fazilka.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

November 7, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No