

CRM No. M-4408 of 2017

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-4408 of 2017
Date of Decision : 03.10.2017

Joga Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vansh Malhotra, Advocate for
Mr. Gagan Oberoi, Advocate for the petitioner.

Mr. Sandeep Virmani, Addl. Advocate General, Punjab.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking regular bail in FIR No. 285 dated 01.10.2016, under Sections 379, 413, 473 IPC, registered at Police Station Focal Point, District Ludhiana.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he had stolen Trallas from Trucks and had been selling them as scrap. Learned counsel further contends that the petitioner has been in custody for over one year ever since the date of his arrest on 01.10.2016. He also contends that although the petitioner was not named in other FIRs but he was arraigned as accused therein after his arrest in the instant FIR. He also contends that offence under Section 413 IPC is not made out against the petitioner as he is not a previous convict and under The Punjab Habitual Offenders (Control and Reform) Act, 1952, a habitual offender is defined as a person who has been convicted to imprisonment more than twice during the continuous period of five years. Learned counsel further contends

that the investigation has been completed and the challan has been filed.

In view of the above submissions of learned counsel for the petitioner and the petitioner having been in custody for over one year, I deem it a fit case to grant concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner, namely, Joga Singh is ordered to be released on regular bail on his furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate.

October 03, 2017.
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(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>