

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-16555-2018

Date of decision : 11.05.2018

Kala and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Parminder Singh Sekhon, Advocate
for the petitioners.

Mr.J.S. Walia, Sr.DAG, Punjab.

AMOL RATTAN SINGH, J.(ORAL)

Pursuant to the order dated April 27, 2018, learned counsel has produced in Court today two orders passed by the trial Court on 15.02.2018 and 22.02.2018, to submit that as a matter of fact the order of the trial Court directing that CCTV footage of the toll plaza at Kalyan, on the Nabha Patiala road, be produced was rendered infructuous with the application itself having been withdrawn, upon a statement having been made by the Assistant Manager of the toll plaza that the footage for the period in question was not available, it being automatically “overwritten” after 7 days.

Learned counsel for the petitioners however submits that there was non-compliance of Section 42 also.

Other than that, upon query to learned State counsel as to whether there is any toll plaza receipt with regard to the vehicle having

no such record was found qua the vehicle in question that is shown to have been occupied by the petitioner at the time of alleged recovery.

That being so, without making any further comment on the merits of the case, either for or against the petitioners, they also having been in custody for the past 9 months with only 3 prosecution witnesses stated to have been examined out of 15, I consider it appropriate to admit them to bail, upon their furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

Ordered accordingly.

Disposed of.

(AMOL RATTAN SINGH)
JUDGE

May 11, 2018.
Davinder Kumar/dinesh

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