

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

203

**CRM-M-20258-2018
DATE OF DECISION:17.05.2018**

GURSEWAK SINGH @ LODHA AND ANR ... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. P.S. Sekhon, Advocate
for the petitioners.

Mr. Munish Dev Sharma, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking regular bail in FIR No.86, dated 29.03.2018, under Section 379-A read with Section 34 IPC, registered at Police Station Madlauda, District Panipat.

Learned counsel for the petitioners contends that the petitioners are not named in the FIR, wherein the complainant has alleged that while he was attending the fair, he found that his gold chain, which he was wearing around his neck, was missing and some unknown person from the crowd has broken it and taken it away. He further contends that the petitioners were apprehended on the next day from the Bus stand and recovery is alleged to have been effected from them but there is no independent witness to the recovery although, it took place at the Bus stand. He also contends that the petitioners are not involved in any other case. The petitioner No.1 is the husband and petitioner No.2 is his wife. They have 06 months old infant which is also confined in the Jail along with them.

Learned State counsel, upon instructions from HC Mukesh Kumar states that the investigation has been completed and the challan shall be filed before the competent Court within a week.

Heard.

In view of the submissions of learned counsel for the petitioners especially when the petitioners are first offenders, the petitioners are in custody since 30.03.2018 and there is no independent witness to the recovery, I deem it a fit case to grant concession of regular bail to the petitioners.

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

17.05.2018

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

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