

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25286-2018

Date of decision: 05.07.2018

Gurpreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jatinder Nagpal, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.81 dated 09.04.2018 under Sections 379-B, 506, 342, 323, 336, 148, 149 IPC, Sections 392, 511, 448, 120-B IPC (added later on) and Sections 25 & 27 of Arms Act, registered at Police Station Zira, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner is running a floor mill in his village in district Ludhiana and is repeatedly involved in similar cases of theft and in one of the cases, he has been exonerated. It is further submitted that the petitioner was picked up by the police on 09.04.2018 and immediately, his parents/wife got recorded a DDR regarding missing of the petitioner, with Police Station Sadar Ludhiana and later on, found that the petitioner has been involved in the present FIR. Counsel for the petitioner further submits that the petitioner has been involved in the FIR on the statement

of one Vijay Kumar, Security Guard of a private agency, who has stated that later on, he has come to know that the petitioner along with some other persons had come to the godown and committed the offence of taking away the wheat bags.

Learned counsel for the petitioner has further submitted that the petitioner is doing his own private business and is no more required for further investigation, as no recovery is effected from him and there is no possibility for the petitioner to flee from the Court proceedings in case he is granted the concession of regular bail.

Learned State counsel, on instructions from HC Jagdev Singh, has opposed the prayer for bail on the ground that the case is still at the investigation stage and challan is yet to be presented.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial lockup since 09.04.2018 and is no more required for any further investigation, this petition is allowed and the petitioner is directed to be released on bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.07.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No