

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRM-M-47124-2018

Date of Decision:31.10.2018

Anoop Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. V.P. Singh, Advocate,
for the petitioner.

Mr. Surinder Pal Singh Tinna, Addl. A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.8 dated 24.06.2018 under Sections 379-B IPC, registered at Police Station Majitha Road, Amritsar.

Learned counsel for the petitioner states that no recovery has been effected from the petitioner and he is in custody since 15.07.2018. He has not been named in the FIR. He refers to personal search/recovery memo dated 24.07.2018. He states that in one search memo, no cash/jewellery has been recovered from the possession of co-accused Manjit Singh @ Monty and there is another recovery memo of the same date i.e. 24.07.2018, whereby one gold necklace was recovered from the right pocket of his co-accused Manjit Singh @ Monty. There is no other case against him except FIR No.94 dated 12.04.2015 under Section 22 of the NDPS Act, Police Station Sultanwind, Amritsar, wherein, sentence has been suspended

by this Court vide order dated 23.05.2018 in CRM-14735-2018 in CRA-S-851-SB-2018 (Anoop Singh Versus State of Punjab). Though, there were other cases against the petitioner i.e. FIR No.78 dated 17.06.2014 under Sections 382, 341 IPC and FIR No.170 dated 19.11.2014 under Section 382, 34 IPC, Police Station 'B' Division, Amritsar, but in those cases, he has been acquitted by the trial Court vide judgments dated 02.11.2017 and 19.07.2016, respectively.

Learned State Counsel has argued that even though the petitioner has been acquitted in the aforesaid FIRs, but it shows that the petitioner has criminal tendencies to indulge in such offences.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 15.07.2018 and the trial in the case is likely to take a long time, more particularly when in FIR No.78 dated 17.06.2014 and FIR No.170 dated 19.11.2014, he has been acquitted by the trial Court, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/heavy surety bonds to the satisfaction of trial Court.

However, in case the petitioner is found indulged in any other case, the prosecution would be at liberty to seek cancellation of his bail in the present case.

October 31, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No