

222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48027-2018 (O&M)

Date of decision:22.11.2018

Lovepreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr.P.S.Ahluwalia, Advocate
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

Mr. I.P.S.Kohli, Advocate
for the complainant.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No.78 dated 26.08.2018 under Sections 382 and 34 of IPC (Sections 392 of IPC and Section 25 of Arms Act added later on), registered at Police Station Bakshiwal, District Patiala.

The learned counsel for the petitioner submits that the petitioner is not involved in the present case. The case has been concocted against him. It is further contended by the counsel that in the present FIR, there is no recovery from the petitioner as such.

Learned counsel for the complainant also submits that the complainant has already submitted an affidavit that although the FIR is rightly registered, however, the petitioner is not the person who was involved in snatching the motorcycle.

On the other hand, learned State counsel, being instructed by ASI Balbir Singh, submits that the motorcycle, which was snatched from the

complainant, have subsequently been recovered in an another incident, where five persons including the present petitioner were arrested from the spot and that motorcycle which is snatched in the incident involved in the present case; was also found with those five persons. Besides this, there is recovery of pistol from the present petitioner in that another case.

In response to, counsel for the petitioner submits that in that another case, the petitioner has already released on bail by the trial Court.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

22.11.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No