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

CRM-M No.8380 of 2018

Date of Decision: 12.03.2018

MOHD DANISH AND ANR

.....Petitioners

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. B.K. Majoka, Advocate
for the petitioners.

Mr. Sandeep Kumar, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioners seek grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.516 dated 15.12.2017, registered under Sections 420, 379-B IPC and under Section 25 of the Arms Act at Police Station Basti Jodhewal, District Ludhiana.

As per allegations in the FIR, an amount of Rs.2000/- was allegedly snatched by the petitioners by showing knife to the complainant.

Learned counsel for the petitioners submitted that the occurrence took place on 13.12.2017 at about 1.00 p.m, whereas the FIR came to be registered on 15.12.2017. The motorcycle was allegedly recovered from the petitioners on 15.12.2017 at a *naka* laid by the Police. The complaint filed by

the complainant was received by the Police on 15.12.2017 at 6.00 p.m. The complainant has asserted that for two days, he kept on collecting information of his own without making any complaint to the police.

Learned State counsel on instructions from ASI Tarlochan Singh opposed the prayer made by petitioners for the grant of regular bail.

The case appears to be debatable in the context of recovery of motorcycle and receiving of complaint in the Police Station.

At this stage, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioners on regular bail, who are in custody since 16.12.2017.

In view of above, petition is allowed. Petitioners are ordered to be released on bail, subject to their furnishing heavy local bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 12, 2018

Atik

**(RAJ MOHAN SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**