

220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11005-2019 (O&M)

Date of decision:14.03.2019

Lovepreet Singh @ Lava

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Rajat Bansal, AAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.58 dated 19.07.2018 registered under Section 379-B of IPC, at Police Station Govt. Nurmehal, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner has been wrongly involved in this case. The entire story against the petitioner has been cooked-up only on the basis of alleged disclosure statement of the co-accused. Otherwise, admittedly, the petitioner was not found on the spot. Nothing has been recovered from the petitioner. The petitioner is in custody since 28.07.2018. Challan has already been filed. Therefore, the petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, learned State counsel, being instructed by ASI Harnek Singh, submits that the petitioner is positively involved in the case as he was driving the motorcycle on which the co-accused was the pillion rider. The alleged recovery has been effected from the co-accused of

the petitioner and the name of the petitioner has been disclosed by the said

co-accused. However, it is not disputed that the petitioner is in custody since 28.07.2018 and that he is not required for any investigation purposes.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

14.03.2019
Hemlata

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