

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27963-2018

Date of decision: 29.03.2019

Bunty

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. M.S. Bajwa, 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.56 dated 17.04.2018 under Sections 457, 380 IPC (Sections 379-B, 342, 506 IPC were added later on), registered at Police Station Sultanwind, District Police Commissionerate Amritsar.

Learned counsel for the petitioner submits that the petitioner is in custody since 24.04.2018 and it is version of the complainant that on the intervening night of 16/17th April, 2018, some unknown persons entered into the premises of his company, by breaking the locks and thereafter, they committed theft of mobile phones and some other articles. It is further submitted that the petitioner was not named in the FIR and when other co-accused were arrested, on the basis of their disclosure statement, the name of the petitioner has been surfaced in this case. Learned counsel further submits that the police had

recorded the statement of Security Guard, after a lapse of long time and the petitioner is not involved in any other case. It is also submitted that the investigation is complete and charges have been framed, however, no prosecution witness has been examined so far.

Learned State counsel, on instructions from ASI Jatinder Singh, could not dispute the factual position.

Without commenting anything further on merits of the case, considering the fact that the petitioner is in custody since 24.04.2018; he is not involved in any other case and his name surfaced in the FIR on the basis of disclosure statement made by other co-accused and also in view of the fact that till date, no prosecution witness has been examined, this petition is allowed and the petitioner is directed to be released on regular 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

29.03.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No