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

CRM-M-18110 of 2019

Date of decision: May 24, 2019

Charanjit Singh @ Sonu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.S. Gulati, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner, in FIR No.41 dated 06.03.2019, under Sections 399, 402, 411 of Indian Penal Code, 1860 and Sections 25, 54, 59 of Arms Act, 1959, registered at Police Station 'B' Division, Amritsar, District Amritsar.

As per prosecution case, petitioner used to purchase stolen mobile phones from other co-accused and further sell to earn profit and on the basis of his disclosure statement, 15 stolen mobile phones were recovered from his possession.

Contentends that petitioner is in custody since 07.03.2019 and after investigation, report under Section 173 of Cr. P.C. has already been submitted. Also contends that charges are yet to be framed, thus, the trial will take long time to be concluded.

Learned State counsel, on instructions from Assistant Sub Inspector Manjinder Singh, has acknowledged the above factum of investigation as well as non-framing of charges till date, but opposed the prayer of the petitioner, primarily on the ground that stolen mobile phones have been recovered from the petitioner.

Since the case is triable by Magistrate and the investigation is already over, charges are yet to be framed, as such trial is likely to take sufficient long time; thus, further incarceration of the petitioner will not serve any purpose.

As a result thereof, this petition is allowed. The petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

However, it is clarified that petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

May 24, 2019
mahavir

Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**