

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

**CRM-M No. 50994 of 2018
Date of decision: 08.05.2019**

Nirmal Singh @ Babli

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. M.S. Uppal, Advocate, for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in case FIR No. 138 dated 10.08.2018 under Sections 379, 379-B, 411, 420 and 471 of the Indian Penal Code and the Prevention of the Tampering of the Mobile Device Equipment Identification Number Rules, 2017, registered at Police Station Sadar Mansa.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that he used to purchase stolen mobile phones from co-accused. He, however, contends that the petitioner was running a mobile shop wherein he would have also purchased old phones from the customers. He further contends that only 5 mobile phones, which had been allegedly stolen, were recovered from the petitioner. The petitioner is in custody for over nine months since his arrest on 10.08.2018. Four other co-accused have already been granted regular bail by a Coordinate Bench of this Court after they had undergone the custody for about three months in CRM-M No. 51433 of 2018, CRM-M No. 47603 of 2018 and CRM-M No. 44260 of 2018. Four other cases are pending against the petitioner but he is

on bail in all those cases.

Learned State counsel, upon instructions from ASI Vakil Chand, states that the investigation of the case has been completed and charges have been framed, but no prosecution witness has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is in custody for over 9 months and his co-accused have already been granted regular bail and the conclusion of trial is likely to take some time, I deem it to be a fit case to grant him regular bail.

Without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate.

08.05.2019

rekha sharma

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned? Yes

Whether reportable? No