

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

CRM-M No.33135 of 2019 (O&M)
DATE OF DECISION : 16th NOVEMBER, 2019

Kulwinder Singh & another

.... Petitioners

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Rajesh Bhateja, Advocate for the petitioners.

Mr. Harbir Sandhu, AAG, Punjab.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioners under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.45 dated 12.05.2019 registered under Sections 457 & 380 IPC (Section 411 IPC, added later on) at Police Station Khamano, District Fategarh Sahib.

It is contended by counsel for the petitioners that the FIR was registered against unknown persons. The petitioners are not even involved in the case. The petitioners are sought to be involved only by fabricating recovery of old mobile phones. It is further submitted that the petitioners are in custody since 26.05.2019 and there is no other case against the petitioners. Hence, the petitioners deserve to be released on bail pending trial.

On the other hand, learned State Counsel, on instructions from ASI Sukhwinder Singh, submits that huge recovery of stolen mobile phones has been effected from the petitioners. However, it is not

disputed that the petitioners are in custody since 26.05.2019 and that there is no other case against the petitioners.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioners are ordered to be released on bail pending trial subject to their furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

16TH NOVEMBER, 2019
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>