

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

CRM-M-43684-2019

Date of decision : 16.11.2019

Davinder Pal Singh @ Babbu

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Manpreet Ghuman, Advocate
for the petitioner.

Mr. APS Gill, DAG, Punjab.

AMOL RATTAN SINGH, J (ORAL)

By this petition, filed under the provisions of Section 439 Cr.P.C., the petitioner seeks the concession of 'regular bail'.

Today an affidavit of Shri Rajesh Kumar, Deputy Superintendent of Police, Sub Division Barnala, has been filed, stating therein that the mobile tower locations of all members of the police party as are stated to have apprehended the petitioner and his co-accused, were all found to be in street of Bhaini Sahib, VPO Dhanaula (District Barnala), which is the same area from where the petitioner and his co-accused were apprehended.

As regards the petitioner's mobile phone also showing the same tower location, that possibly is due to the fact that though no mobile phone was recovered from the petitioner, but he may have left his phone at home, which is also about 2.5 kms from the spot of recovery and therefore, would be covered by the same tower location.

Learned counsel for the petitioner on the other hand submits that the petitioner's house is about 5 kms from the place of recovery.

Without making any further comment on the contentions raised

on either side, with it also seen that, admittedly, as per the Deputy Superintendent of Police present in Court, no other criminal case is shown to be registered against the petitioner, and he having being in custody from 22.07.2019, with him shown to be only about 18 and half years of age, with the trial still to virtually commence, the petition is allowed and the petitioner is ordered to be admitted to bail upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

**(AMOL RATTAN SINGH)
JUDGE**

16.11.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No