

205

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43600-2019

Date of Decision: 29.11.2019

Gurpreet Singh @ Gopi

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.L. Saini, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in a case FIR No.45 dated 06.04.2018, under Sections 379-B-2, 427, 473 IPC read with Section 34 IPC, registered at Police Station Jandiala, District Amritsar. He is in custody since his arrest on 06.04.2018.

The FIR in the present case was registered on the statement of complainant Mandeep Singh, wherein it was stated that on 05.04.2018 at about 11/11:30 P.M., he parked his car opposite Rajbir Dhaba at G.T. Road, village Bandala and after taking meal from the said Dhaba, he slept in his car and at about 2:30 A.M., two young men having Mulla fashioned beards came in a Swift car and took away his car along with his 2 mobile phones.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. He submits that the charges were framed on 06.11.2018 and the prosecution is yet to examine its witnesses, therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel assisted by SI Balraj Singh has opposed the prayer, however, it is not disputed that the charges were framed on 06.11.2018 and the prosecution is yet to examine its witnesses. He submits that three more cases are pending against the petitioner, wherein he is on bail.

Considering the slow pace of the trial of the case and the custody period of the petitioner, this Court is of the opinion that further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Amritsar.

The petition is allowed.

29.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No