

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 57157 of 2018
Date of Decision:.13.02.2019

Deepak Kumar Gupta Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Narender Singh Kamboj, Advocate for the petitioner.
Mr.C.L.Pawar, Sr.DAG, Punjab.

MAHABIR SINGH SINDHU, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short 'Cr.P.C') for grant of bail pending trial to the petitioner in case FIR No.0103 dated 10.09.2018, under Sections 457 and 380 of the Indian Penal Code (for short 'IPC'), registered at Police Station Division No.4, District Patiala.

As per allegations made by the complainant Jiona Khan, two unknown persons have committed a theft in the Verka Booth run by him and stolen LED 20” of CCTV Camera, dongal, ₹1,000/- and Driving Licence. Consequently, FIR was registered against the unknown persons. During investigation, petitioner has been named on the basis of disclosure statement of co-accused.

It is contended by learned Counsel for the petitioner that the petitioner is in custody since 10.09.2018 and report under Section 173 Cr.P.C was presented on 08.02.2019. There are fifteen prosecution witnesses

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and charges are yet to be framed.

The above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Tajwinder Singh.

Since there is no other criminal case pending against the petitioner and he is in custody since 10.09.2018 and trial will take long time to be concluded finally as there are total 15 prosecution witnesses, therefore, this Court deems it appropriate to grant concession of bail to the petitioner. Consequently, this petition is allowed and petitioner-Deepak Kumar Gupta is ordered to be released on bail pending trial on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court.

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

13.02.2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

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