

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

CRM-M No. 48729 of 2018

Date of decision : 27.03.2019

Harpreet Singh alias Vicky

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Siddharth Gupta, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

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DAYA CHAUDHARY, J. (Oral)

Petitioner Harpreet Singh alias Vicky has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him in case FIR No.109 dated 31.08.2018 under Sections 379-B/148/149 of the Indian Penal Code, 1860 and Sections 25, 27, 59 of the Arms Act, 1959 registered at Police Station – Ghall Khurd, Distt. Ferozepur, during pendency of the trial.

Learned counsel for the petitioner submits that neither the name of the petitioner was mentioned in the FIR nor any specific role has been attributed to him. On the basis of general allegations, he has falsely been implicated. Even the number of the car has not been mentioned. There is no connecting evidence to involve the petitioner with commission of the offence. Learned counsel further submits that the bail petition has been dismissed only on the ground that recovery of ear-ring has not been effected. There is no other case against the petitioner. He is in custody since 09.09.2018. Trial

may take some time to conclude and no purpose would be served by keeping him in custody.

Learned State counsel has not disputed the custody period as well as the fact that name of the petitioner is not mentioned in the FIR and also the fact that there is no other case of similar nature against him.

Heard arguments of learned counsel for the parties and have also gone through the contents of the FIR and other documents available on record.

Without commenting anything on merits of the case and by considering the custody period of the petitioner since 09.09.2018 and also the fact that there is no other case against him, his name is not mentioned in the FIR, even the number of the car is also not mentioned, the present petition is allowed and the petitioner is directed to be released on regular bail on furnishing adequate bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

27.03.2019

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No