

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

210

**CRM-M-53056-2019
Date of Decision : 19.12.2019**

Rohit Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Munish Puri, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, D.A.G. Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J. (Oral)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.131 dated 06.11.2019 registered under Section 457 and 380 of the Indian Penal Code, 1860 at Police Station Division No.2, District Pathankot.

Learned State Counsel has appeared and opposed the bail application.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has argued that the petitioner has been named by Sunny Mehra @ Mani who is working with Manav Mahajan. Manav Mahajan is carrying on business of noodles and was staying in the house of the complainant. Manav Mahajan used to hire auto-rickshaw of the petitioner for delivery of his orders. The petitioner went to the house of Manav Mahajan to take his payment of

Rs.3,500/- and was arrested by the police on suspicion. There is no evidence regarding involvement of the petitioner in the theft. The petitioner is not involved in any other case. Trial is likely to take time and no purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the petitioner committed theft of gold ornaments and other valuables belonging to the complainant and does not deserve grant of regular bail.

However, learned State Counsel has conceded that the petitioner is not involved in any other case.

Keeping in view the facts and circumstances of the case including the fact that no useful purpose will be served by further detention of the petitioner in custody during trial which is likely to take long time but without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Duty Magistrate, Pathankot.

19.12.2019
Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No