

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

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**CRM-M-4065-2020
Date of Decision : 04.02.2020**

Vikrant Arora @ Boxer

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Vivek Salathia, Advocate
for the petitioner.

Mr. Arun Kaundal, DAG, 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.0004 dated 05.10.2019 registered under Sections 399, 402 and 473 of the Indian Penal Code, 1860 (for short 'the IPC') and Section 25 of the Arms Act, 1959 registered at Police Station State Special Operations Cell, SAS Nagar, District Intelligence Wing (CID), SAS Nagar (Mohali).

As per the prosecution version, on 05.10.2019 the police party headed by SI Barjinder Singh, on the basis of secret information, apprehended Shivjeet Singh @ Shiva, Manpreet Singh @ Manna, Paramjeet Singh @ Bunty, Aditya Kapoor @ Makhan, Prince Sharma and Gagandeep Sharma while making preparation for committing dacoity. The above-said FIR was registered against them. During investigation co-accused Aditya Kapoor @ Makhan implicated the petitioner as supplier of the weapons.

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 was not named in the FIR and was not arrested on the spot. The petitioner has been falsely implicated on the basis of disclosure statement made by his co-accused Aditya Kapoor @ Makhan. The petitioner is in custody since 23.10.2019. Investigation and trial are likely to take long 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 allegations against the petitioner are serious and the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner, the fact that the petitioner was not present on the spot and his involvement in crime is yet to be adjudicated upon 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/Chief Judicial Magistrate concerned.

04.02.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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