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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-13654-2020

Date of Decision: 26.08.2020

Lovepreet Singh @ Labha

..... Petitioner

Versus

State of Haryana

..... Respondent

=====
In virtual Court
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CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr.Khushdeep Mann, Advocate, for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.450 dated 24.07.2019 registered under Sections 323, 342, 395, 412, 120-B of IPC 1860 and 25 of the Arms Act, 1959 registered at Police Station City Sirsa, District Sirsa, Haryana.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even, as per the allegations of the prosecution, petitioner has not been alleged to be part of the group which actually looted the amount in the present case. The only allegation against the petitioner is that after looting of the amount, the co-accused of the petitioner handed over an amount of Rs.50,000/- to the petitioner to be handed over to the mother of the co-accused. The petitioner is accordingly, alleged to have delivered an amount of Rs.50,000/- to the mother of the co-accused. It is also

submitted that there is no other case against the petitioner. The petitioner has been in custody since more than one year and he is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

Notice of motion.

Mr.Arun Beniwal, DAG, Haryana, accepts notice on behalf of respondent State.

The counsel for the State, being instructed by Mr.Balwal Singh, ASI, submits that name of the petitioner has specifically surfaced in the case. However, it is not denied that the only allegation against the petitioner is that he had taken an amount of Rs.50,000/- from the co-accused and had handed over the same to the mother of the said co-accused. It is also not disputed that the petitioner was not a part of the group which actually looted the amount from the complainant. Still further, it is not disputed that petitioner is in custody for the past about one year.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

26.08.2020
anil

(RAJBIR SEHRAWAT)
JUDGE

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

