

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

CRM M-21514 of 2020 (O&M)

Date of Decision: August 13, 2020

Gurdarshan Singh

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Deepak Goyal, Advocate
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Gurdarshan Singh has come in this first regular bail application moved under Section 439 Cr.P.C, in FIR No.161 dated 29.04.2020 under Sections 457 and 380 of IPC, Police Station Sadar Dhuri, District Sangrur.

Complainant Chandan Bansal alleged that while

connecting his CCTV cameras installed in his factory he saw two unknown persons standing in the factory trying to steal and when he rushed he discovered that an air cooler and exhaust fan of his factory have been stolen leading to the registration of the present case. It is during the course of investigation both these articles were recovered from the co-accused of the petitioner, who named the petitioner in the present case as well.

Mr. Deepak Goyal, learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars for more than 01 month and 25 days and recovery had already been effected and the trial is not likely to be completed in near future.

Mr. J.S. Ghumman, DAG, Punjab learned State counsel has strongly opposed the bail on the grounds that the petitioner is a habitual offender and will commit offence again while on bail.

Appreciating the submissions, the recovery having been effected from the co-accused and that the legality and validity of statement of co-accused qua the petitioner is subject to judicial trial and considering the fact that the trial is not likely to be over in the near future and no useful will be served by keeping the petitioner behind the bars, the present petition is allowed. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

Disposed off.

August 13, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

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