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

CRM-M No. 32995 of 2020
Date of Decision: 27.10.2020

Gurpreet Singh @ Sonu

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Narinder S. Lucky, Advocate,
for the petitioner.
Mr. Ramdeep Partap Singh, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.151 dated 22.07.2020 under Sections 379-B, 411, 34 IPC registered at Police Station Mohkampura, Police Commissionerate, Amritsar.

As per prosecution story, FIR was registered on the basis of secret information like NDPS cases.

The alleged offences are under Sections 379-B, 411 and 34 IPC. Dattar has been recovered from the petitioner.

Recipient of booty, subject matter of theft, would remain debatable.

It has to be seen whether dattar is the subject matter of theft committed by the petitioner, so as to attract offence under Section 411 IPC.

The factual position of the case could not be disputed by learned State counsel, except to allege that one Gagan Arora was joined in the investigation, who had identified his mobile phone allegedly recovered from Jaskaran Singh @ Karan, co-accused.

Petitioner is in custody since 22.07.2020.

Challan has already been presented, but charges have not been framed.

Complicity of the petitioner would remain debatable.

Owing to the situation arising out of pandemic COVID-19 and without meaning anything on the merits of the case, the petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

27.10.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable | : | Yes/No |