

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22141-2021

DATE OF DECISION: JUNE 11, 2021

LOVEDEEP @ LOVE

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MS. PRABHJOT KAUR, ADVOCATE FOR THE PETITIONER.
MR. SAURAV KHURANA, DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.12 dated 18.1.2021, under Section 379, 411 IPC, Police Station Urban Estate, District Patiala. The petitioner is in custody since his arrest on 18.1.2021.

The FIR was registered on the basis of ruqa received from SI Gurmeet Singh stating that on 18.1.2021, when he alongwith other police officials was present at T-Point, Phase-3, Lights, Radio Station Road, Urban Estate, Rajpura Road, Patiala, a secret informer came and informed that petitioner alongwith many other persons is involved in stealing motorcycles and other vehicles from different places and sell them further by changing their number plates. Today also they were coming from Rajpura to Patiala City for selling the same and if a search is conducted, the above persons can be apprehended alongwith motorcycles. On the basis of these broad allegations, the present FIR was registered.

Learned counsel for the petitioner contends that the petitioner has been indicted in the present case on the basis of a secret information and a false case has been foisted upon him. She submits that the investigation of the case is complete and the final report also stands filed and therefore, further custody of the petitioner may not be necessary. She prays that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned counsel for the State assisted by ASI Pavitter Singh has opposed the aforesaid prayer on the ground that the petitioner alongwith his co-accused is involved in number of cases of theft. However, it is not disputed that the investigation of the case is complete and the challan stands filed on 12.3.2021.

After hearing the learned counsel for the parties this Court is of the opinion that the investigation of the case is complete as the challan stands filed, but the charges are yet to be framed. Apart from it, the belligerent re-emergence of pandemic COVID-19 in the region has once again forced the State governments of Punjab, Haryana and U.T. Administration, Chandigarh to impose various restrictions to clampdown the contagion, and it would further delay the conclusion of trial. Admittedly, the petitioner is not involved in any other case of similar nature. Thus, the further detention of the petitioner behind the bars may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 18.1.2021.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds

to the satisfaction of the trial Court concerned.

The petition is allowed.

June 11, 2021
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No