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

**CRM-M No.24852of 2021
Date of Decision:08.07.2021**

SUNNYPetitioner
Vs
STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. P.K. Bansal, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. 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.0283 dated 30.10.2020, registered under Sections 399, 402, 379 and 411 of IPC at Police Station City Ferozepur, District Ferozepur.

As per allegations, the FIR was registered on the basis of secret information involving Surjeet Singh alias Mangat, Vicky, Gurpreet Singh alias Gori, Shamsheer Singh alias Sherry, Pamma and Sunny (petitioner) for the offences of preparing to commit dacoity. They were allegedly sitting in bushes near bajaj dairy, basti bhattian wali. A raid was conducted and the

accused were apprehended.

As per disclosure statement of Vicky, recoveries of stolen motorcycles of different makes have been made which were found parked behind the rear wall of the house of Shamsheer Singh alias Sherry.

Learned counsel for the petitioner submits that nothing was overheard by the Police party and offences under Sections 399/402 IPC are not made out. At the most, allegations are in respect of recovery, which falls under the ambit of Section 411 IPC (though facts denied altogether).

Petitioner is in custody since 13.10.2020. Challan has been presented. Co-accused namely Vicky, Gurpreet Singh alias Gori have been released on regular bail vide order dated 19.05.2021 passed in CRM-M No.17921 of 2021 and CRM-M No.18641 of 2021. Charges have already been framed but no prosecution witness has been examined so far.

Factual position of the case is not in dispute, however learned State counsel opposed the bail on the ground that the petitioner is involved in serious offences.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to

enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

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

08.07.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

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