

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

229

**CRM-M-35078 of 2021
Date of Decision:27.09.2021**

Jai Kumar

..... Petitioner

Versus

State of U.T. Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Nitin Sharma, Advocate,
for the petitioner.

Mr. Ashu Mohan Punchhi, PP, U.T. Chandigarh

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.0116, dated 05.05.2021, having been registered at Police Station Sector-39, Chandigarh, alleging therein the commission of offences punishable under Sections 379-A and 34 of the IPC.

Learned counsel for the petitioner submits that a co-accused of the petitioner, i.e. Asif Ansari @ Aasif Ansari, has already been admitted to bail by this court on July 30, 2021, upon him having been filed CRM-M-24074 of 2021.

It is seen that in that case the learned Public Prosecutor had submitted that in fact the motorcycle used in the occurrence was registered in the name of Jai

Kumar, i.e. the present petitioner.

However, learned counsel for the petitioner submits that the name of the petitioner has only been implicated for the reasons best known to the police, with that motorcycle in fact being with his father at the time of the alleged commission of the offence, his father being the labourer on duty at that time.

Upon query to learned Public Prosecutor, he submits that no test identification parade was held to identify the culprits.

That being so, with the petitioner having been in custody for about 4 months now, though there is stated to be another case registered against him (a few days prior to the occurrence in question), without making any comment on the actual merits of the case, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial court.

September 27, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No