

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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CRM-M-40584 of 2021

Date of decision:18.11.2021

Vicky @ Happy @ Mota

... Petitioner

versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.B.D.Sharma, Advocate,
for the petitioner
Mr.Rana Harjasdeep Singh, DAG, Punjab
...

AMOL RATTAN SINGH, J. (Oral)

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.122, dated 29.6.2021, having been registered at Police Station Shahkot, District Jalandhar Rural, alleging therein the commission of offences punishable under Sections 457/380/411/201/34 of the IPC.

Learned counsel for the petitioner submits that the petitioner has now been in custody for about 4-1/2 months in a Magisterial trial, with no other criminal case registered against.

Learned State counsel though otherwise opposes the bail petition on the ground that it being a case of the prosecution that the petitioner and his co-accused stole 11 mobile phones from the shop of the complainant, however could deny the factual position as stated by learned

counsel for the petitioner; and upon query put to him, he submits that though the *challan* has been submitted, the trial is still to commence.

That being so, without making any comment on the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail, upon him furnishing adequate bail and surety bonds to the satisfaction of the learned trial court/CJM/Duty Magistrate concerned.

18.11.2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No