

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

**CRM-M No.28535 of 2022
Date of Decision: 05.09.2022**

Birbal @ Birbal Kumar

.....Petitioner.

Versus

State of Punjab

.....Respondent.

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. B.S. Aulakh, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner herein has sought the relief of regular bail in the criminal case arisen out of the FIR bearing No.65 dated 02.04.2022 registered at Police Station City Malout, District Sri Muktsar Sahib, under Sections 379-B and 411 IPC.

2. Bereft of unnecessary details, the allegations, as levelled against the petitioner in the present case, are that he and his co-accused named Ajay Kumar were apprehended while riding separate motorcycles and during the investigation, the petitioner got four more motorcycles recovered and the said motorcycles were found to be the stolen ones.

3. Custody certificate as well as the status-report on behalf of the respondent-State (by way of the affidavit of Deputy Superintendent of Police, Sub-Division Malout, District Sri Muktsar Sahib) have been submitted in the Court today and these documents are taken on the record.

It is worth-while to mention here that in para No.3(i) of the status-report, it

has categorically been deposed that the subject FIR has been registered under Sections 379 and 411 IPC.

4. I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file carefully.

5. Learned counsel for the petitioner contends that the petitioner is behind the bars since the date of his arrest, i.e 02.04.2022 and the Challan has already been presented in this case and even the charges have also been framed and in these circumstances, he (petitioner) deserves the relief as prayed for in this petition.

6. Learned State counsel does not dispute the afore-referred factual position.

7. Keeping in view the above-discussed facts and circumstances as well as the facts that the trial of the case is likely to take sufficient time to conclude and no useful purpose will be served by detaining the petitioner in judicial custody any more and without commenting or expressing any opinion on the merits of the case, the petitioner named Birbal alias Birbal Kumar is ordered to be released on regular bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. The instant petition stands allowed accordingly.

September 05, 2022

Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:

Yes

Whether Reportable:

No