

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-29215-2022
Date of decision : 15.07.2022

Lovedeep Singh @ Labhi

... Petitioner

Versus

State of Punjab

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Arunjeet Singh Kakkar, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR no.24 dated 28.02.2022 registered under Sections 379-B, 411 IPC at Police Station Sadar Kot Kapura, District Faridkot.

Learned counsel for the petitioner has submitted that in the present case, the petitioner has been falsely implicated as he was not present at the time of occurrence and even the alleged recovery has been made from co-accused Salman Khan during interrogation who has got recovered the allegedly snatched wallet and Aadhar Card and no recovery has been effected from the present petitioner. It is further submitted that the petitioner has been in custody since 28.02.2022 and the challan has already been presented in this case and there are total 10 prosecution witnesses, none of whom have been examined, thus, the trial is likely to take some time. It is

also submitted that the petitioner is not involved in any other case. It is further submitted that co-accused of the petitioner namely Karamtej Singh has already been granted concession of regular bail vide order dated 13.05.2022 passed by this Court in CRM-M-19474-2022 and the case of the present petitioner is on the same footing as that of the said co-accused.

Learned State counsel, on the other hand, has opposed the present petition for regular bail and has submitted that the petitioner along with co-accused had snatched the wallet from the hands of the complainant.

This Court has heard learned counsel for the parties and has gone through the paper-book.

In the present case, the petitioner has been in custody since 28.02.2022 and the challan has already been presented and there are total 10 prosecution witnesses, none of whom have been examined and the petitioner is not involved in any other case. Moreover, no recovery has been effected from the petitioner and the recovery of the wallet as well as Aadhar Card has been made from co-accused Salman Khan. The fact as to whether the present petitioner was present at the time of the alleged occurrence or not, is a matter of debate, which would be finally adjudicated during the course of the trial. This Court vide order dated 13.05.2022 passed in CRM-M-19474-2022 has granted the concession of regular bail to co-accused Karamtej Singh and the case of the present petitioner is on the same footing as that of the said co-accused.

Keeping in view the above-said facts and circumstances, more so, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail / surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate and subject to him not being

required in any other case.

It is however made clear that in case the petitioner influences or threatens any witness, then it would be open to the State to move an application for cancellation of bail of the petitioner.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

July 15, 2022
Davinder Kumar

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