

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

CRM-M-32750-2022

Date of decision:02.08.2022

Harjot Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vipin Mahajan, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.42 dated 27.03.2022, registered at Police Station Bullowal, District Hoshiarpur, under Sections 379-B and 411 IPC.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and rather has been indicted on the disclosure statement of co-accused Kamal; that the motor-cycle bearing registration No.PB-7-AA-2329 alleged used in the crime, belongs to the aforesaid co-accused; that recovery of Rs.1500/- had allegedly been effected from the petitioner; that the petitioner has been in custody since 28.03.2022 and that there is no other case registered or pending against the petitioner.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner had actively participated in the offence; that the recovery of 1500/- had been effected from the petitioner, and that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR and rather has been indicted on the disclosure statement of co-accused, namely, Kamal. The motor-cycle allegedly used in the offence, belongs to the aforesaid co-accused. The recovery has already been effected.

The challan stands presented. The prosecution witnesses are yet to be examined. There is no other case registered or pending against the petitioner. The petitioner has been in custody since 28.03.2022. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

02.08.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No