

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

CRM-M- 41566-2021

Date of decision: 18.02.2022

Anoop Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Virendra Pratap Singh, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.211 dated 07.09.2019, registered at Police Station Civil Lines, Amritsar City, under Section 379-B IPC.

Learned counsel for the petitioner contends that on 06.11.2019, the petitioner was arrested in FIR No.179 dated 03.11.2019, under Section 379-B IPC, Police Station Cantonment, Amritsar, through production warrant, and recovery of a piece of gold necklace from an almirah in the house of the petitioner, was effected on 08.11.2019; that subsequently in the present FIR, the petitioner was taken on production warrant and another gold necklace was allegedly recovered from the same almirah after a period of 11 days of the first recovery. Learned counsel further contends that the prosecution version cannot be believed and the petitioner has falsely been implicated in the present case. Out of other cases registered or pending against the petitioner, he was involved

in three cases after getting his production warrants issued. The petitioner has been in custody since 06.11.2019.

Learned State counsel, while opposing the submissions made by the learned counsel for the petitioner for the grant of bail, submits that the recovery was effected from two different almirahs of the petitioner, and that the petitioner is a habitual offender.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.11.2019. The recovery in the present case was effected on 19.11.2019 from an almirah in the house of the petitioner whereas from the same place, recovery was effected in another case on 08.11.2019. Out of 14 prosecution witnesses, 08 witnesses are yet to be examined. 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.

18.02.2022

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No