

204

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

**CRM-M-40061-2022
Date of Decision: 23.09.2022**

Abhi Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Shvetanshu Goel, Advocate,
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.093 dated 04.07.2022, under Sections 379-B & 34 of the IPC, registered at Police Station Dugri, Police Commissionerate Ludhiana.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody from more than 2 months and the name of the petitioner was nominated only because of the reason that alleged motorcycle which was recovered belonged to his brother. He further submitted that the petitioner has got clean antecedents and is not involved in any other case. He has further referred to the affidavit which has been filed by the State in the connected case, which would show that the subject matter of the present case is only of Rs.6,000/- and one mobile phone, and therefore, has prayed that the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Amit Rana, Sr. DAG, Punjab has stated that it is correct that the petitioner is in custody for more than two months and after the completion of investigation, the challan has been presented before the competent Court *qua* the present petitioner. He further submitted that it is also correct that the petitioner is not involved in any other case.

I have heard the learned counsel for the parties.

The petitioner is in custody for more than two months and *qua* him the investigation of the case has been completed. The name of the petitioner was nominated only because of the reason that alleged motorcycle which was recovered belonged to his brother. The petitioner has got clean antecedents and is not involved in any other case.

In view of the aforesaid facts and circumstance of the case, the petitioner deserves the concession of regular bail. Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

23.09.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

- | | |
|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |