

270

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

CRM-M-42740-2022

Date of Decision: 23.09.2022

Ashish

..... 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 since 06.07.2022, which is more than 2 months and the name of the petitioner was nominated on the basis of disclosure statement of the co-accused, namely, Abhi, who has been granted regular bail by this Court in CRM-M-40061-2022 vide an order of even date. He further submitted that another co-accused, namely, Shubham has also been granted interim anticipatory bail by this Court vide an order of even date in CRM-M-39036-2022. He also submitted that the petitioner is not involved in any other case and has got clean antecedents and merely on the basis of disclosure statement of the co-accused, his name was nominated and even otherwise also, the subject matter of the theft was only of Rs.6,000/- and

one mobile phone and the petitioner had no connection with the aforesaid offence, therefore, he 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. As per the learned counsels for the parties, the petitioner has got clean antecedents and is not involved in any other case. The petitioner was not named in the FIR and his name was nominated on the basis of disclosure statement of the co-accused, namely, Abhi, who has been granted regular bail by this Court in CRM-M-40061-2022 vide an order of even date.

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

(JASGURPREET SINGH PURI)

Bhumika

JUDGE

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