

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-1624-2022

Date of Decision: 8.3.2022

Irfan @ Imran

....Petitioner

VERSUS

Union Territory, Chandigarh

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Surinder Mohan Sharma, Advocate
for the petitioner.

Mr. Rajiv Viz, Addl. PP, UT Chandigarh.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.0025 dated 15.2.2020 registered for the offences punishable under Sections 379 IPC (Section 411 IPC added later on) and Section 25, 54, 59 of Arms Act at Police Station Central Sector 17, Chandigarh.

Counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case which is relating to theft of motorcycle bearing No.RJ-14RS-575 belonging to complainant-Manish Chandenja. He further submitted that the Court of Additional Sessions Judge, Chandigarh declined bail to the petitioner only on the ground that he is involved in as many as 11 criminal cases. It is further submitted that in the present case, the petitioner was arrested on 4.11.2021 and trial is not progressing further and the offences are triable by the Court of Judicial Magistrate, 1st Class.

that the petitioner is not entitled to grant of bail in the present case as he is having long criminal history and he is also facing two murder cases.

I have considered the submissions made by the counsel for the parties.

The present case is relating to theft of one motorcycle alleged to be stolen from staff parking of Taj Hotel on 26.9.2019 and the petitioner was arrested in this case on 4.11.2021 and presently, he is lodged in judicial custody. There is no doubt regarding the fact that the petitioner is facing some other criminal cases including two murder cases but that is no ground to decline the bail to him in the present case which is triable by the Court of JMIC.

It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 8, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No