

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(202)

CRM-M-30815 of 2023
Date of Decision:20.07.2023.

Suresh

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWALPresent: Mr. Varun Sharma, Advocate
for the petitioner

Ms. Rishu Madan, A.A.G., Punjab.

VIKRAM AGGARWAL, J. (ORAL)

1. Prayer in the present petition is for the grant of regular bail to the petitioner in case FIR No196 dated 29.12.2022, registered under Sections 457, 380 of the Indian Penal Code, 1860 (for short 'the IPC'), at Police Station Division 3, Police Commissionerate, Ludhiana.

2. On 18.12.2022, a sum of ₹57,00,000/- was stolen from the vehicle of the complainant. Four persons were arrested on 10.01.2023. A sum of ₹20,00,000/- was recovered from co-accused A-Murgan whereas a sum of ₹2,50,000/- is alleged to have been recovered from the present petitioner. ₹2,00,000/- each were recovered from co-accused-Parkash and Suresh.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. It has been contended that the petitioner is in custody since 10.01.2023; no recovery has to be made from him; final report under Section 173

therefore, no useful purpose will be served by keeping the petitioner in custody any longer.

4. On the other hand learned counsel representing the State of Punjab has opposed the bail application stating that one other case under Section 379 Cr.P.C. stands registered against the petitioner. She submitted that if the petitioner is released on bail, he may try to threaten and influence the witnesses and may also abscond.

5. Having considered the submissions made by learned counsel for the parties, this Court is of the considered opinion that the petitioner deserves to be released on bail. He is in custody for the last more than six months. Final report under Section 173 Cr.P.C., has already been submitted. The main accused seems to be co-accused A-Murgan from whom ₹40,00,000/- was recovered. In so far as the other case pending against the petitioner is concerned, the custody certificate which has been filed today in the Court shows that he is on bail in the said case. Trial will take a sufficiently long time and, therefore, no useful purpose will be served by keeping the petitioner in custody any longer.

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

July 20th, 2023

Rekha

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned : *Yes/No.*
Whether reportable : *Yes/No.*