

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

**Neutral Citation No. 2023:PHHC:105307
CRM-M-38943-2023
Date of Decision: August 16, 2023**

Mehakpreet Singh alias Kalu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Balbir Singh Jaswal, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in the petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.105, dated 11.09.2022, registered under Sections 379-B(2) and 411 of IPC, at Police Station Kathu Nangal, District Amritsar.

A perusal of the FIR reveals that police party was patrolling when a secret information was received that petitioner and co-accused had formed a gang for looting mobile phones and motorcycles and on that day also, they were in possession of a stolen motorcycle. On the conducting raid, the petitioner was found to be in possession of a snatched motorcycle.

It is contended by learned counsel for the petitioner that there is no complaint from anybody with whom this snatching was done. There is no complaint with the police regarding the theft or snatching of the motorcycle, so no case is made out.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of respondent-State.

Learned State counsel does not dispute the fact that no FIR was lodged against the petitioner and co-accused regarding the snatching or theft of the recovered motorcycle. Custody certificate placed on record by learned State counsel reveals that petitioner is in custody for the last 11 months and 07 days with no criminal antecedent.

Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the petitioner is admitted to regular bail. He is ordered to be released on bail on his furnishing personal bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate.

Allowed.

August 16, 2023

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(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No