

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

221-2

CRM-M-44388-2023

Date of decision: 12.10.2023

Ganesh Bahadur Shahi

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Avtar Singh Khinda, Advocate, for the petitioner.
Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

Prayer in the present petition filed under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case FIR No.111, dated 15.06.2023, registered under Sections 381, 328, 411, 120-B of the IPC and Sections 25/54/59 of the Arms Act, 1959, at Police Station City Phagwara, District Kapurthala.

As per allegations, on the intervening night of 14/15.06.2023 theft was committed in the house of Ravinder Kaur Walia who made the complaint alleging that it is their servant Raju who has taken all the valuables including cash, gold etc. after giving them some intoxicant substance.

It is contended by learned counsel for the petitioner that the petitioner is not named in the FIR; that he has been roped in only on the basis of disclosure statement; no recovery was effected from the petitioner and that the petitioner has no criminal antecedents.

Learned State counsel has conceded the fact that the petitioner is not named in the FIR. It is also conceded that petitioner is nominated on basis of disclosure statement and that except Rs.200/-, no recovery has been effected from the petitioner.

Petitioner is in custody since 12.07.2023 and he is not involved in any other criminal case as conceded by the learned State counsel.

Having regard to the aforesaid facts and circumstances, particularly the role attributed to the petitioner but without commenting anything on the merits of the case, the present petition is allowed. The petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate concerned.

Disposed of.

(DEEPAK GUPTA)
JUDGE

October 12, 2023

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No