

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

CRM-M-54206-2022
Date of Decision:-**16.02.2023**

IQBAL SINGH ALIAS BUNTY

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Inder Preet Singh, Advocate for
Mr. Simerjeet Singh Bedi, Advocate
for the petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

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KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.124 dated 3.7.2022 registered under Sections 379, 411 IPC at Police Station Division No.8, District Ludhiana.

The said FIR was registered on the statement of Ravi Mohan who reported to the police regarding theft of his black Tata car Safari No. PB-10-CB-0949 from the premises of DMC Hospital Ludhiana on the night intervening 2/3.7.2022. Ravi Mohan also made statement that he has come to know that another white Elite i20 car No.PB10-DX-1700 is stolen from outside the house of Tanuj Jain resident of Udham Singh Nagar, Ludhiana.

During investigation of the said case, the petitioner and Jerman @ Jhony were arrested. There are allegations that both of them got recovered aforesaid stolen i20 car from a disclosed place.

The counsel for the petitioner submits that FIR in this case was registered against some unknown person, who committed theft of 2 cars belonging to 2 different persons. The counsel for the petitioner further submits that the petitioner was arrested in the present case on 16.7.2022 and the recovery of i20 car is already effected and on presentation of challan, the trial Court has framed charges but till date no prosecution witness has been examined and it will take considerable time for the trial to conclude. So prayer is made for grant of regular bail to the petitioner.

The instant petition is contested by the State counsel, who submits that the petitioner is involved in number of other criminal cases of similar nature and that now trial has commenced. However, the State counsel has not disputed the fact that the petitioner is in custody since 16.7.2022 and the recovery of the stolen car of Tanuj Jain has been effected.

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

Admittedly the present case is triable by the Court of Judicial Magistrate Ist Class and the petitioner is behind the bars since 16.7.2022 and till date no prosecution witness has been examined and it will take time for the trial to conclude, so no purpose is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

16.02.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No