

237 IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4005 of 2024 (O&M)
Date of decision : 01.02.2024

Lovepreet Singh @ Lovi
.....Petitioner

vs.

State of Punjab
.....Respondent

CORAM: HON’BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. D.P.S. Mann, Advocate and
Mr. A.S. Dhillon, Advocate for the petitioner.

Mr. Iqbal Singh Mann, DAG, Punjab

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PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No. 260 dated 28.12.2022, registered for the offences punishable under Sections 399 and 402 of IPC and Sections 25, 54, 59 of the Arms Act, at Police Station City Kotkapura, District Faridkot.
2. Custody certificate has been produced. As per the same, the petitioner is behind the bars for 1 year, 1 month and 1 day as on 31.1.2024.. As per the custody certificate there are two more cases, including one FIR No. 88/2022 dated 28.12.2022, wherein allegations against the petitioner is of being involved in snatching of an amount of Rs. 5 lacs from the complainant. Further allegation against the petitioner is that he has participated alongwith Gurbhinder Singh and Arwinder Singh. It is further case of the prosecution that one .32 bore pistol alongwith 5 live cartridges

one .315 bore pistol and amount of Rs.4,40,000/- were also recovered from all the accused.

3. Counsel submits that the challan already stands presented and co-accused, namely Gurbhinder Singh @ Bhinder with whom the petitioner is stated to have participated in the crime, stands admitted to bail, vide order dated 23.8.2023, passed in CRM-M-40390-2023.

4. The State counsel does not deny the fact of co-accused having been admitted to bail and the fact that challan already stands presented.

5. I have heard learned counsel for the parties and have gone through the records of the case.

6. Without commenting anything on the merits of the case, keeping in view the incarceration suffered by the petitioner and the fact that the investigation already stands concluded, granting parity viz a viz Gurbhinder Singh @ Bhinder, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

7. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

01.02.2024
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(PANKAJ JAIN)
JUDGE

Whether speaking / reasoned Yes / No

Whether reportable Yes / No