

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8681-2024

Date of Decision:27.02.2024

Lovepreet Singh @ Lovely

...Petitioner

vs.

State of Punjab

...Respondent

Coram : **Hon’ble Mr. Justice N.S.Shekhawat**

Present : Mr. Lakshay Bector, Advocate
for the petitioner.

Mr. Shiva Khurmi,AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 167 dated 30.09.2022, registered under Sections 379-B,201 of IPC, Police Station City Khanna-2, District Ludhiana, Punjab.
2. The FIR in the present case was got registered by Gurpreet Singh, who alleged that at about 05:00 PM on 30.09.2022, two unknown persons had snatched a gold chain weighing 2.5 tolas from the sister of the complainant.
3. Learned counsel for the petitioner contends that the petitioner was not named in the present FIR and a false recovery has been planted on him. He further contends that the petitioner was arrested in the present case on 30.09.2022 and is in custody since then. He further contends that the similarly placed co-accused Simranjeet Singh @ Deep has already been granted the concession of bail by this Court vide order dated 16.01.2024 (Annexure P-3).
4. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that

one more criminal case of similar nature has been registered against the present petitioner.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. The petitioner was arrested in the present case on 30.09.2022 and is in custody since then. Even though one more case of similar nature has been registered against the present petitioner. However, the same cannot serve as a ground for rejection of the bail as the petitioner has been able to make out a case for grant of bail in the facts and circumstances of the present case. The petitioner can never be confined in jail for an indefinite period as the Hon'ble Supreme Court in the matter of Prabhakar Tewari Vs. State of U.P., and another 2020(1) R.C.R. (Criminal) 831 has held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of Maulana Mohd. Amir Rashadi Vs. State of U.P., and another 2012(1) R.C.R. (Criminal) 586. Apart from that, similarly placed co-accused Simranjeet Singh @ Deep has already been granted the concession of bail by this Court vide order dated 16.01.202 (Annexure P-3).

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

27.02.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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