

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

CRM-M-9402-2024

Date of decision : 27.02.2024

BALPREET SINGH @ BINKU

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Jaskamal Singh Grewal, Advocate for the petitioner.

Mr. J.S. Arora, DAG, Punjab

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.124 dated 26.11.2023 registered for the offences punishable under Section 379B(2) of the Indian Penal Code, at Police Station Shimlapuri, District Commissionerate Ludhiana.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.

3. FIR was registered on the statement of Surinder Kumar against unknown persons. However, the complainant noticed the motorcycle of the culprits. The said motorcycle was later on found to be of the petitioner. The petitioner was apprehended. His co-accused led to recovery of the mobile.

4. Counsel for the petitioner submits that the investigation stands concluded and challan stands presented. Thus there can't be any apprehension that the petitioner shall tamper with the evidence. The petitioner has clean antecedents.

5. Mr. Arora does not dispute the fact that the petitioner has clean antecedents and the investigation stands concluded. However, he submits that the motorcycle number of the petitioner was mentioned in the FIR and thus it cannot be said that its a case of false implication.
6. I have heard counsel for the parties and have gone through records of the case.
7. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the fact that the investigation already stands concluded and Challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.
8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

February 27, 2024		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No