



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

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CRM-M-30634-2024

Date of decision: 05.07.2024

Lovejit Singh @ Lovepreet Singh @ Roban

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.134 dated 13.06.2023 under Sections 392/342/458 of the IPC (Section 395 of the IPC added lateron) registered at Police Station Jandiala, District Amritsar.

2. Learned counsel for the petitioner contends that the petitioner has been in custody for almost one year having been arrested on 24.07.2023 and after the charges were framed, none of the 13 prosecution witnesses has been examined till date. Learned counsel has asserted that since the investigation in the case at hand is complete and all incriminating evidence allegedly collected by the investigating agency against the petitioner is already with the investigating agency, there can be no apprehension that the petitioner would be in a position to tamper with the same or even for that matter intimidate or influence the witnesses. He has further submitted that a perusal of the FIR which



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has been annexed as Annexure P-1, clearly reveals that the FIR in question was registered against unknown persons who allegedly broke into a godown on the intervening night of 12/13.06.2023 and after threatening the security guards loaded 500 gunny bags of wheat into their vehicle after damaging the CCTV cameras installed therein. Learned counsel submits that it is not even the case of the prosecution that any recovery has been effected from the petitioner after his arrest. In the circumstances, further incarceration of the petitioner would not serve any useful purpose.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions, has not disputed the stage of the trial. It has also not been disputed by the learned State counsel that the FIR has been registered against unknown persons.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 24.07.2023. Investigation in the case at hand is complete. The trial is unlikely to conclude in the near future as none of the 13 witnesses cited by the prosecution have been examined till date. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it

is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

05.07.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No