

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.61301 of 2023 (O&M)

Date of decision: 13th March, 2024

Lovepreet Singh @ Love

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Saurav Bhatia, Advocate for the petitioner.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.14 dated 03.06.2023 under Section 25 of the Arms Act, 1959 and Section 120-B of the IPC (Sections 379, 411, 482 IPC added later on) registered at Police Station Special Operations Cell, Amritsar, District Amritsar.

2. Learned counsel for the petitioner inter alia contends that he has been in custody since 03.06.2023 and the only role attributed to him is of having tampered the number plates of the car. It has been submitted that the petitioner has been charged only under Section 482 IPC read with Section 120-B IPC. Learned counsel further submits that the petitioner has clean antecedents as it is a matter of record that he is not involved in any other criminal case, hence, in the aforementioned circumstances, his further incarceration would serve no useful purpose, more so, since 14 prosecution witnesses have been cited.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed that the only role attributed to the petitioner is of having tampered with the number plates of the vehicle. It has also not been disputed that the petitioner is not involved in any other criminal case much less a case of similar nature. On further instructions, learned State counsel has also not disputed that not only challan stands presented but even charges stand framed.

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

5. The petitioner has now been in custody since 03.06.2023 and there is no likelihood of the trial concluding in the near future as none of the 14 witnesses cited by the prosecution has been examined till date. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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.

6. Needless to add here, in case the petitioner misuses the concession of bail, the State would be at liberty to approach this Court for cancellation of bail in the instant case.

(MANJARI NEHRU KAUL)
JUDGE

March 13, 2024
rps

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