

S. No.229

2024:PHHC:033472

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

CRM-M-2274 of 2024

Date of Decision:07.03.2024

Harish Pandey

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Yaseen Sethi, Advocate for the petitioner.

Mr. Madhur Sharma, DAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.111 dated 15.06.2023 registered under Sections 381, 328, 411, 120-B IPC and Sections 25/54/59 of Arms Act, 1959 at Police Station City Phagwara, District Kapurthala, Punjab.

As per allegations, on the intervening night of 14/15.06.2023, theft was committed in the house of Ravinder Kaur Walia who made the complaint alleging that it is their servant Raju who has taken all the valuables including cash, gold etc. after giving them some intoxicant substance.

It is contended by learned counsel for the petitioner that the petitioner is not named in the FIR and that he has been roped in only on the basis of disclosure statement of co-accused Ganesh Bahadur Shahi and recovery of some Indian and Nepali currency notes and a mobile phone has been shown to have been effected from the petitioner. Learned counsel further contends that co-accused – Ganesh Bahadur Shahi has already been allowed bail by this Court vide order dated 12.10.2023 passed in CRM-M-44388 of 2023, copy of which is

Annexure P.2.

Status report has not been filed.

Learned State Counsel could not refute the afore-said contentions.

Custody certificate placed on record would reveal that the petitioner is in custody for the last 07 months and 27 days. He has no other criminal case pending against him. All the offences are triable by the Magistrate. Trial may take long time to conclude.

Having regard to all the afore-said facts and circumstances, but without commenting anything on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

March 07, 2024
renu

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No