

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-15134-2015
Date of decision:14.05.2015**

Buta Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.S.S.Sodhi, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks bail pending trial in FIR No.23 dated 17.3.2015 registered under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code at Police Station Sadar Mansa.

Notice to Advocate General, Punjab.

On the asking of Court, Mr. K.D.Sachdeva, Addl. A.G., Punjab, accepts notice.

Learned counsel for the petitioner submits that petitioner was not the beneficiary. He, being Revenue Patwari, was duty bound to prepare the revenue documents, as per record available. He has been falsely implicated, at the instance of the complainant party. It is also a matter of record that civil suit is pending between the parties. He concluded by submitting that since the challan is yet to be presented, trial is not likely to be concluded in near future. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from SI Amarjit Singh, Police Station Sadar Mansa, submits that since there are serious and direct allegations against the petitioner, he is not entitled for

bail pending trial on the ground that petitioner facilitated his co-accused in committing the crime. He prays for dismissal of the instant petition.

Having heard the learned counsel for the parties, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has been found entitled for bail pending trial. It is so said because civil litigation is admittedly pending between the parties. Since the challan is yet to be presented, trial is not likely to be concluded in the near future.

Without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

14.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE