

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM No. M-16730 of 2014

Date of decision: 13.01.2015

Balraj Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr. Vaibhav Sehgal, Advocate for the petitioner
Mr.Nikhil K. Chopra, DAG Punjab
Mr.Rajesh Bhateja, Advocate for the complainant

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Learned State counsel, on instructions from ASI Manjit Singh, states that the complainant has been examined-in-chief and yet to be cross-examined. In this case, the petitioner was arrested on 20.9.2013 in FIR No.22 dated 5.12.2012 registered under Sections 406, 420, 120-B IPC at Police Station NRI, Moga. It is stated that he was arrested in another FIR. However, learned counsel for the petitioner has produced a copy of the order dated 20.3.2014, showing that in the said case, he has been released on bail. The petitioner is now in custody for little less than one year and four months. The case is triable by the Magistrate. If ultimately, charges are proved, the petitioner can be convicted. However, he cannot be kept behind the bars for indefinite period pending trial.

In the circumstances, the petition is allowed and petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of ₹.1,00,000/- with one surety in the like amount, to the satisfaction of the Trial Court, subject to following conditions:-

- i) the petitioner will not directly or indirectly give any inducement, threat or promise to any witness acquainted with the facts of the case;
- ii) the petitioner will not commit any offence while on bail;
- iii) the petitioner will not leave the country without the prior permission of the trial Court.
- iv) the petitioner will appear before the trial Court on each and every date;

13.01.2015

gk

(Kuldip Singh)
Judge