

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

**Criminal Misc. No. M-27756 of 2015
Date of Decision: 28.08.2015**

Rohit Kumar

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Navjot Singh, Advocate
for the petitioner(s).

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 CrPC is for grant of regular bail to the petitioner Rohit Kumar in case FIR No.55 dated 19.2.2015 under Section 408 IPC registered at Police Station Civil Lines, District Amritsar City.

Learned counsel for the petitioner contends that the offence under Section 408 IPC is triable by a Magistrate. Moreover, in the case in hand, the investigation is over and the police has submitted the challan. Since the petitioner is custody since 29.5.2015 and the trial will take long duration, the petitioner be

granted regular bail during the pendency of trial.

Learned State counsel, on instructions from ASI Kuldip Singh, submits that the offence under Section 408 is triable by a Magistrate but charges have been framed against the petitioner and the case is now fixed for prosecution evidence on 31.8.2015.

Considering the fact that the matter is triable by a Magistrate and charges have been framed against the petitioner, there is no possibility for the petitioner to temper with the evidence. Since the petitioner is in custody since 29.5.2015 and the trial will take sufficiently long time, this petition is allowed. The petitioner is admitted to regular bail, subject to his furnishing of bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that during the pendency of trial, the petitioner shall not leave the country without prior permission of the trial Court.

August 28, 2015
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(HARI PAL VERMA)
JUDGE