

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

CRM No.M-29462 of 2015

Date of decision: 29.09.2015

Sumar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Samra, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.43, dated 25.06.2015, registered under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code (for short 'IPC'), at Police Station City-2, Mansa, District Mansa.

It is contended that the allegations against the petitioner are with regard to furnishing incorrect particulars in the year 2010 in FIR No.15 dated 01.02.2010, registered under NDPS Act. The accused in that FIR was declared proclaimed offender. The petitioner being a surety in that FIR paid the entire surety amount as imposed by the trial Court. The petitioner is the owner of the land, however, inadvertently, incorrect particulars were reflected in the surety bonds

furnished by him. The petitioner is in custody since 01.07.2015.

On the other hand, the learned State counsel opposes the prayer of bail and states that the challan stands presented, however, the charges are yet to be framed.

I have heard learned counsel for the parties and perused the record.

Keeping in view the fact that it is a magisterial trial; the challan stands presented, however, the charges are yet to be framed, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

29.09.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE