

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

CRM-M- 31090 of 2015 (O&M)

Date of Order: 29.09.2015

Raj Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. S.S. Narula, Advocate for the petitioner.
Mrs. Amarjit Kaur Khurana, Addl.A.G, Punjab.

1. Whether Reporters of local papers 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?

AJAY TEWARI, J (ORAL)

Prayer is for grant of regular bail in case FIR No.38 dated 29.04.2015 under Sections 419,420,467,468,471 IPC and Section 12 of the Passport Act, 1967 and Section 13 (2) of PC Act, 1988 registered at P.S Sadar Banga, District SBS Nagar.

Learned counsel for the petitioner has argued that the first FIR was lodged on 29.03.2014. One of the co-accused is alleged to have made a disclosure statement and the petitioner was arrested on 08.4.2014. Thereafter, one more similar FIR was lodged on 25.08.2014 and the similarly one of the co-accused made a disclosure statement and the petitioner was arrested in that case also. Thereafter, one FIR No.40 dated 09.4.2015 was registered and the petitioner was arrested in that FIR, and on the basis of the statements made in that FIR, instant FIR has been lodged. Learned counsel submits that the net result is that the petitioner has been in custody since 08.4.2014 and in the first two FIRs wherein there were similar allegations and similar evidence led against the petitioner in pursuance of

disclosure statement made by the co-accused, the petitioner has been acquitted vide judgments (P.4 and P.5).

Learned state counsel, on instructions from ASI Kirpal Singh, has accepted the factual assertions.

Without commenting upon the merits of the case and taking into account the facts and circumstances of the present case, no useful purpose would be served by keeping the petitioner behind the bar any further. Accordingly, the present petitioner is ordered to be released on bail to the satisfaction of the Duty Magistrate/CJM, SBS Nagar.

Petition stands allowed.

September 29, 2015
manoj

(AJAY TEWARI)
JUDGE