

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

**Criminal Misc. No. M-32056 of 2015
Date of decision: 28.09.2015**

Jangir Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. J.S. Brar, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. AG, Punjab
for the respondent – State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner-Jangir Singh for grant of regular bail in case FIR No.68 dated 16.07.2015 registered under Sections 457, 436, 427 read with Section 34 of Indian Penal Code at Police Station Kotbhai, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that as per allegations levelled in the FIR, only the goods lying in the house were burnt and not the house. Learned counsel further submits that no offence is made out under Section 436 IPC and the same has been added just to make the offence more serious. The FIR has been

registered due to party faction in the village. The case of the petitioner is at par with his co-accused, namely, Rajwinder Singh and Jora Singh, who have been released on anticipatory bail. Nothing is to be recovered from the petitioner and he is in custody for the last more than 2 months. Learned counsel also submits that even challan has not been presented so far and trial will take long time to conclude.

Custody certificate has been filed in the Court and the same is taken on record.

Learned State counsel has not disputed the custody period as well as the factum of releasing of co-accused on anticipatory bail.

Keeping in view the submissions made by learned counsel for the petitioner and also the fact that on the same set of allegations, co-accused of the petitioner have been released on anticipatory bail; the petitioner is in custody for the last more than 2 months; and the trial may take some time in final conclusion, the present petition is allowed and the petitioner (Jangir Singh) is directed to be released on regular bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court.

28.09.2015
neetu

(DAYA CHAUDHARY)
JUDGE