

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

CRM-M-32457-2015 (O&M)

Date of Decision: November 03, 2015

Jaspal Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

- 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?***

Present: Mr.A.S.Brar, Advocate
for the petitioners.

Mr.P.S.Ghuman, Addl.A.G.Punjab.

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NARESH KUMAR SANGHI, J.(ORAL)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioners, Jaspal Singh son of Basant Dass and Surjit Singh Lambardar son of Mehar Singh, both residents of village Rajiana, Tehsil Baghapurana, District Moga, who have been booked for having committed the offences punishable under Sections 120-B, 419, 420, 465, 467, 468 and 471, IPC, in a case arising out of FIR No.13, dated 09.04.2015,

registered at Police Station, NRI, Moga.

Learned counsel for the petitioners submits that on the basis of an identity card produced before petitioner No.2-Surjit Singh, who is Lambardar of the village, identified the vendor of the sale-deed while petitioner No.1-Jaspal Singh alleged to have witnessed the sale-deed; all the offences for which the petitioners have been booked are triable by learned Judicial Magistrate Ist Class; petitioners are behind the bars from 01.05.2015 and after completion of the investigation, the charge-sheet was presented long back and, as such, the further incarceration of the petitioners is not of any consequence.

Learned counsel for the State though opposed the grant of bail to the petitioners on the premise that the allegations levelled against them were of serious in nature but he fairly conceded that petitioners are behind the bars from 01.05.2015 and all the offences for which they have been booked are triable by learned Judicial Magistrate Ist Class. He further fairly concedes that the petitioners are neither required nor involved in any other case.

Keeping in view totality of the facts and circumstances of the case, the present petition is allowed. The petitioners, Jaspal Singh son of Basant Dass and Surjit Singh Lambardar son of

Mehar Singh, both residents of village Rajiana, Tehsil Baghapurana, District Moga, are directed to be released on bail during pendency of the trial of the present case subject to their furnishing bonds to the satisfaction of learned trial Court/Duty Magistrate.

November 03, 2015
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(NARESH KUMAR SANGHI)
JUDGE