

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

CRM-M-33268 of 2015.

Decided on:-05.10.2015.

Jagtar Singh and another

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

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. Vivek Salathia, Advocate for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioners in case FIR No.17 dated 4.8.2015 under Sections 465/467/468/471/474/201/120-B IPC registered at Police Station NRI, District Amritsar.

Learned counsel for the petitioners contends that the complainant as well as the petitioners are facing civil litigation. The complainant has filed civil suit in the year 2002 titled as “Mender Singh alias Mohinder Singh Versus Guro deceased through legal heir Charan Singh and others”. The said suit was decreed on 26.10.2013. Against the said judgment and decree, the defendants-petitioners have filed civil appeal before the District Judge, Tarn Taran, which is pending adjudication.

Learned counsel for the petitioners further submits that the

present FIR was registered on 4.8.2015 i.e. after more than 13 years after filing of the civil suit. He prays that since the matter is yet to be finalised by the appellate Court, the petitioners may be admitted to bail in the present FIR.

Learned State counsel, on instructions from ASI Naresh Kumar, does not dispute the fact of pendency of civil proceedings as well as initiation of civil proceedings in the year 2002.

Considering the fact that lis is pending between the parties on civil side and the suit was filed by the complainant in the year 2002, coupled with the fact that the offences as referred in the FIR are triable by Magistrate and the petitioners are in custody since 12.8.2015, the petitioners deserve to be admitted on bail.

Accordingly, the present petition is allowed and petitioners Jagtar Singh and Dilbag Singh are admitted to regular bail subject to their furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

It is made clear that the observations made hereinabove shall not be construed as reflection of any opinion on the merits of the main case and the trial Court shall decide the case on the basis of availability of evidence.

October 05, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE