

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

Criminal Misc. No.M-3771 of 2015

Date of Decision: February 11, 2015

Rajvinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Jaswinder Singh, Advocate,
for the petitioner.

Mr.Shilesh Gupta, Addl.AG, Punjab.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner, Rajvinder Singh, who has been booked for having committed the offences punishable under Sections 120-B, 170, 171, 384, 465, 468 and 471, IPC, in a case arising out of FIR No.379, dated 22.12.2014, registered at Police Station, Zirakpur, District Mohali.

Learned counsel contends that even if the whole case of the prosecution is taken at its face value then also the ingredients of the offences for which the petitioner has been booked are not attracted qua him; there is not an iota of evidence that the petitioner had the knowledge that his co-accused, Ranjit Singh, was going to the informant for getting the illegal amount; the petitioner is behind the bars from 22.12.2014; all the offences for

which he has been booked are triable by learned Judicial Magistrate Ist Class; and that further incarceration of the petitioner is not necessary in the present case.

Learned counsel for the State, on instructions from ASI Kewal Singh, Police Station, Zirakpur, submits that the petitioner was a friend of his co-accused, Ranjit Singh, who was going to Sukhwinder Singh for raising the amount from illegal demand. Further on a query of this Court he fairly submitted that during investigation, it has come on record that the petitioner was not aware for what purpose his co-accused, Ranjit Singh, met with Sukhwinder Singh. However, he fairly conceded that the petitioner is behind the bars from 22.12.2014 and after completion of the custodial interrogation, the petitioner is in judicial custody and all the offences for which he has been booked are triable by learned Judicial Magistrate Ist Class.

Keeping in view the totality of the facts and circumstances of the case, the present petition is allowed. Petitioner, Rajvinder Singh, s/o Karnail Singh, r/o Mouli Baidwan, P.S.Sohana, District S.A.S.Nagar, is ordered to be released on bail, during pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of learned Area Judicial Magistrate/ Duty Magistrate, Dera Bassi.

February 11, 2015
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(Naresh Kumar Sanghi)
Judge