

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Crl.Misc.No.M-39046 of 2015

Date of Decision:26.11.2015

Ravi Kumar and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY.

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

**Present: Mr.Ashish Gupta, Advocate,
for the petitioners.**

Mr.Rupam Aggarwal, DAG, Punjab.

DAYA CHAUDHARY, J.

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioners in case FIR No.48 dated 19.05.2015 registered under Sections 399, 400, 402 and 413 IPC (Section 411 IPC was added later on) at Police Station Sadar Faridkot, District Faridkot.

Learned counsel for the petitioners submits that the FIR was registered on the basis of secret information that the petitioners along with co-accused were making preparations to commit dacoity of wheat grains from the warehouse situated near village Pipli. The recovery has already been effected and the challan has also been presented. He further submits that the charge has also been framed and no witness has been examined so far. All the witnesses are official witnesses and there is no possibility that the petitioners may influence them. Learned counsel also submits

that no other case is pending against the petitioners and they are not habitual offenders. They are in custody for the last more than six months and trial may take long time to conclude.

Learned counsel for the respondent-State has not disputed the custody period, stage of the trial and also the fact that no other case is pending against the petitioners.

In view of the submissions made by learned counsel for the petitioners and also the fact that the petitioners are in custody for the last more than six months; nothing is to be recovered from them; all the witnesses are official witnesses and there is no possibility to influence them; no other case is pending against them; trial may take long time to conclude and no useful purpose would be served by keeping them in custody, the present petition is allowed. The petitioners are directed to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

November 26, 2015
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