

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-4061 of 2015 (O&M)
Date of decision: 12th February, 2015

Paramjot Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.42 dated 29.07.2014, registered at Police Station Thuliwal, District Barnala, under Sections 420, 467, 468, 471 IPC.

Learned counsel for the petitioner contended that the affidavit in question, which was signed on 13.10.2012, as per prosecution version, was given in the department on 31.10.2012. Learned counsel for the petitioner further contended that the petitioner had purchased the Sheller on 06.11.2012. Learned counsel for the petitioner contended that the said document has been given in the department before the purchase of sheller by the petitioner and at that time one Satish Kumar was owner of the said sheller who has been found innocent by the Investigating Agency. Learned counsel for the petitioner also contended that Jagsir Singh had died on 22.10.2012 whereas the affidavit is dated 13.10.2012.

Notice of motion.

On the asking of the Court, Mr. S.S.Chandumajra, DAG,

Punjab, has accepted notice on behalf of respondent(s)-State and contested this petition. Police record is also available.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the petitioner is in custody since 10.09.2014. Challan has already been presented and the trial is going on before the Magistrate as all the offences are triable by the Court of Judicial Magistrate. The petitioner is not required for investigation or interrogation purposes nor anything is to be recovered from him. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the present case and without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on furnishing bail bonds in the sum of ₹ 40,000/- with one surety in the like amount to the satisfaction of the learned trial Court/Duty Magistrate.

12th February, 2015
mamta

(INDERJIT SINGH)
JUDGE