

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-6086 of 2015

Date of decision:- April 20, 2015

Jasbir Singh @ Mari

.....Petitioner...

Vs.

State of Punjab

....Respondent...

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Sunil Agnihotri, Advocate,
for the petitioner.

Mr. Yogesh Gupta, Assistant Advocate General, Punjab.

JASPAL SINGH, J. (O&M)

This is a petition under Section 439 of the Code of Criminal Procedure preferred by Jasbir Singh @ Mari, now confined in District Jail, Hoshiarpur seeking his bail in case FIR No. 83 of 19.07.2010, under Sections 420, 406, 465, 467, 472, 473 and 120-B IPC, registered at Police Station Dasuya, Tehsil Dasuya, District Hoshiarpur.

2. Instant case was registered against petitioner on the allegations that he along with his co-accused had dishonestly induced complainant-Sohan Singh, to deliver a sum of ₹1,30,000/- in order to recruit in Army but neither he was recruited nor amount was returned. After registration of FIR, process for securing the presence of petitioner was issued. He was declared proclaimed offender in

some other case registered against him. However, he was arrested in this case on June 26, 2014 and since then, he is cooling his heels behind the bars. Though, challan has already been presented but no witness has been examined so far by the prosecution. The disposal of challan is likely to take sufficient time. Moreover, it would not be desirable to keep the petitioner behind the bars for such a long time, especially keeping in view the fact that he is suffering incarceration for the last more than 9 months.

3. In the light of what has been discussed above and the fact that petitioner is behind bars since the date of his arrest i.e. June 26, 2014, petition is allowed and petitioner-Jasbir Singh @ Mari is ordered to be released on bail, during pendency of trial, at the satisfaction of trial court/Duty Magistrate, Hoshiarpur.

(JASPAL SINGH)
JUDGE

April 20, 2015
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