

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

CRM-M-No.9479 of 2015
Date of decision: 29.05.2015

Swaran Singh @ Malli

-----Petitioner (s)

V/s

State of Punjab

-----Respondent(s)

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. Jatinder Pal Singh, Advocate for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Raman Goklaney, Advocate for the complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition, filed under Section 439 Cr.P.C. is for grant of bail to the petitioner in case FIR No. 306, dated 14.10.2014, having committed the offence punishable under Sections 419, 420, 465, 468, 471 and 120-B IPC, registered at Police Station, Sadar Ferozepur, Distt. Ferozepur.

Learned counsel for the submits that apart from the fact that the petitioner is not a beneficiary, he is in custody since 04.12.2014. The offences in the FIR are triable by the Magistrate and the trial is likely to take sufficient long time. Learned counsel further submits that the trial Court has already framed charges in the case but evidence has not yet been started. He also contends that there is FIR bearing No. 260. dated 10.10.2013 against the petitioner but in that case he is already on bail.

Learned State has already filed custody certificate dated 30.03.2015 and on instructions from ASI-Naveen Kumar, does not dispute the factum of custody.

Mr. Raman Goklaney, Advocate, has put in appearance on behalf of the complainant and has argued that though the petitioner is not a beneficiary but he being a dealer is instrumental in getting two different agreements executed against the same land which is already the subject matter of sale.

Considering the fact that all the offences in the FIR are triable by the Magistrate and trial is likely to take sufficient long time, while relying upon the judgment in the case of **Sanjay Chandra Vs. C.B.I., 2011(4) R.C.R. (criminal) 896,** this Court find that the petitioner deserve the concession of regular bail. Accordingly, the petitioner is admitted on regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of trial Court or any other condition which the trial Court may deem fit and proper under the peculiar facts and circumstances of the case.

However, petitioner would not interfere with the trial or tamper with the investigation, in any manner. In case the petitioner interfere or tamper with the evidence, the complainant shall be at liberty to approach the trial Court for cancellation of bail.

Needles to say that the observations made here-in-above shall not be construed as reflection of any opinion on the merits of the main case, in any manner, during the course of trial, as the same has been recorded for a limited purpose of deciding the present petition for regular bail.

May 29, 2015
Anjal

(HARI PAL VERMA)
JUDGE