

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-20420 of 2016

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Date of decision:4.7.2016

Balwinder Singh alias Binder

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Amrik Singh Kalra, Advocate for the petitioner.

Mr. P.S. Grewal, Deputy Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.42 dated 23.3.2016 registered for the offences under Sections 399 and 402 IPC and Section 25 of the Arms Act at Police Station Canal Colony, District Bathinda.

Notice of motion to Advocate General, Punjab.

On the asking of the Court, Mr. P.S. Grewal, learned Deputy Advocate General, Punjab has put in appearance and accepts notice on behalf of the respondent-State and contested this petition. Police record is also available.

I have heard learned counsel for the petitioner as well as learned Deputy Advocate General, Punjab appearing for the respondent-

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State and have gone through the record.

From the record, I find that the FIR in the present case has been got registered on the basis of a secret information that the present petitioner along with other co-accused were armed with deadly weapons and were preparing to commit any incident and dacoity. Kirpan was recovery from the petitioner. No other FIR has been registered against the present petitioner. The petitioner is in custody since 23.3.2016. He is not required for interrogation or investigation purposes as he is in judicial custody. Nothing 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 final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

July 4, 2016.

(Inderjit Singh)
Judge

hsp