

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-20644 of 2016
Date of Decision: 13.07.2016

Jagtar Singh

...Petitioner(s)

Versus

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. Kamal Narula, Advocate
for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.6 dated 12.1.2016 under Sections 420/465/467/468/471/506/120B IPC registered at Police Station Mamdot, District Ferozepur.

Learned counsel for the petitioner contends that the only allegation against the petitioner is that he is an attesting witness to the alleged agreement, which was executed between Sardar Singh and

Karamjit Singh. Sardar Singh has died. He further submits that co-accused of the petitioner namely Baldev Singh has already been admitted on regular bail.

Learned State counsel submits that the petitioner is an attesting witness and has identified the buyer and therefore, he does not deserve the concession of regular bail.

I have heard learned counsel for the parties.

As per the FIR, the petitioner is not a beneficiary and is only a witness in the case. The matter with regard to the fact whether the petitioner signed the agreement is yet to be ascertained and civil suit between the parties challenging the agreement to sell is already pending in the Court. The offences in the case are subject to magisterial trial and the petitioner is in custody since 1.5.2016.

Considering the fact that the trial will take sufficiently long time, the present petition is allowed. The petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

It is made clear that expression made hereinabove shall not be construed as any opinion on the merits of the case.

July 13, 2016
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(HARI PAL VERMA)
JUDGE