

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

CRM M-2526 of 2016

Date of decision : 29.01.2016

Harpreet Singh @ Happy

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. R.S. Randhawa, Addl. A.G. Punjab.

RAJAN GUPTA J.

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 233 dated 07.11.2009 under sections 420, 399, 402, 382, 379 IPC and section 25, 54, 59 of Arms Act IPC at Police Station B Division, district Amritsar.

Learned counsel for the petitioner contends that petitioner has been in custody for more than 3½ months. Trial is in progress. Thus, no useful purpose would be served by detaining him in custody during the pendency of trial.

Prayer has been opposed by learned State counsel. According to him, petitioner twice absented during proceedings. He is, thus, no entitled to concession of bail.

I have heard learned counsel for the parties.

Keeping in view the fact that trial is in progress, period of incarceration of the petitioner and the fact that trial may still take some time to conclude, I am of the considered view that no useful

purpose would be served by detaining him in custody any longer. Without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Accordingly, the petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Amritsar. This, however, will be subject to heavy surety and/or any other condition(s) which the trial court may deem fit to impose in order to ensure that petitioner does not abscond during pendency of proceedings.

January 29, 2016

Ajay

(RAJAN GUPTA)
JUDGE