

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

CRM-M-30286-2016

Date of decision : 23.09.2016

Umesh Pandey

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ramneek Vasudeva Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.8 dated 15.01.2016 registered under Sections 420, 120-B IPC at Police Station-Rupnagar, District Rupnagar.

Learned counsel for the petitioner has argued that immediately before this FIR No. 8 another FIR No. 7 (Annexure P-2) has been lodged and

in that main FIR where the allegations were that despite having paid a huge amount to the complainant the petitioner did not execute sale deed. In that FIR, petitioner has been granted bail and this FIR which is continuation of that old one has been knowingly treated as new FIR so as to maximize the custody period of the petitioner.

Learned counsel for the petitioner states that petitioner has been in custody since 02.02.2016.

Learned DAG on instructions from ASI Deepak Kumar has accepted that both the FIR were registered on the same date and within one hour of the each other.

I, however find this FIR No. 8 was perperts to the continuation to the previous FIR. Since petitioner has been granted bail in the original FIR I deem it appropriate to grant the concession of bail to the petitioner.

In the circumstances, without commenting on the merits of the case and keeping in view the period of custody, I deem it appropriate to release the petitioner on regular bail.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands allowed.

September 23, 2016
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No