

CRM No. M-35719 of 2016 (O&M)
DECIDED ON: OCTOBER 19, 2016

.....PETITIONERS

.....RESPONDENT

Mr. B.S. Tewatia, Advocate
for the complainant.

CRM No. 31563 of 2016

Application is allowed, as prayed for.

CRM No. M-35719 of 2016

By virtue of instant petition preferred under Section 439 Cr.P.C., petitioners have sought bail in case bearing FIR No. 80 dated 25.02.2014 under Sections 420, 464, 467, 468, 471 and 120-B IPC registered at Police Station Hathin, District Palwal.

The contention of learned counsel for the petitioners is that on the basis of similar set of allegations complainant lodged a regular complaint in which both the petitioners are facing trial. Subsequently, another complaint was lodged to the police on the basis of which the above-said FIR was registered.

There is no denial to the pendency of complaint as well as instant FIR.

Petitioners were arrested in this case on April 13, 2016 and since then they are cooling their heels behind the bars. After completion of investigation, report under Section 173(2) Cr.P.C. has already been presented in the Court and the disposal thereof, would take sufficient long time. It is also a well settled principle of law that a person cannot be tried twice for the same offence.

Taking into consideration all the above-stated aspects but without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate, Palwal.

OCTOBER 19, 2016
sham

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned *Yes/No*

Whether Reportable *Yes/No*