

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Criminal Misc. No.M-3721 of 2016

Date of decision: March 31, 2016

Kuljit Singh

...Petitioner

versus

The State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Ashok Kumar Khunger, Advocate for the petitioner.

Mrs. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner, namely, Kuljit Singh in case FIR No.143 dated 26.10.2015 registered under Sections 332, 342, 353, 186, 367, 427 of the Indian Penal Code and Sections 25/27/54/59 of the Arms Act at Police Station Lambi, District Sri Muktsar Sahib during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case whereas no offence is made out against him. Learned counsel also submits that there was delay of two days in lodging of the FIR which has not been explained.

Learned counsel also submits that the complainant-party had enmity with the petitioner as well as his brother prior to registration of the present FIR. The petitioners are transporters and the present FIR is the counter-blast of the complaint filed against the complainant-party. Nothing is to be recovered from the petitioner, he is in custody since 29.10.2015 and no useful purpose would be served by keeping him behind the bars. The trial may take long time to conclude. Learned counsel also submits that the co-accused of the petitioner, namely, Joginder Singh has already been released on regular bail by this Court in **Criminal Misc. No.M-869 of 2016** on 21.01.2016.

Learned State counsel has not disputed the custody period and also submits that the cancellation report has been prepared because of issue of jurisdiction.

In view of the submissions made by learned counsel for the petitioner and also the fact that the cancellation report has been prepared; the co-accused of the petitioner, namely, Joginder Singh has already been released on regular bail by this Court in **Criminal Misc. No.M-869 of 2016** on 21.01.2016; the petitioner is in custody since 29.10.2015 and that no useful purpose would be served by keeping him behind the bars any further, the present petition is allowed. The petitioner, namely, Kuljit Singh is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of Chief Judicial Magistrate, Sri Muktsar Sahib.

March 31, 2016
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(DAYA CHAUDHARY)
JUDGE