

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

CRM No.M-38191 of 2016 (O&M)

Date of decision: 03.11.2016

Nachhattar Singh @ Nachhatri

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Mirpur, Advocate for the petitioner.

Mr. R.S. Nain, AAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 36 dated 20.06.2016, registered under Sections 364, 341, 323 and 148 read with Section 149 of IPC, at Police Station Jaurkian, District Mansa.

It is contended that the petitioner has been falsely implicated in the instant case. He is in custody since 30.07.2016.

On the other hand, learned State counsel opposes the bail application and states that the petitioner is a habitual offender and he is involved in 05 other FIRs.

At this stage, the learned counsel for the petitioner states that as per information supplied to him, the petitioner stands

acquitted in all the 05 FIRs. The learned State counsel submits that he does not have the instructions with regard to acquittal of the petitioner in the said FIRs.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the petitioner in custody since 30.07.2016 and the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the CJM/Illaqa Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

However, in case the alleged statement of learned counsel for the petitioner made on the basis of information supplied to him is found to be against the record, the present petition shall be deemed to be dismissed without further notice.

03.11.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No