

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

CRM No.M-39987-2016 (O&M)

Date of decision: 16.12.2016

Gulshan Kumar

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Ankur Sharma, Advocate
for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab
assisted by Jank Raj.

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 case FIR No.01 dated 03.01.2013, registered under Sections 419, 465, 467, 468, 471 and 120-B of the Indian Penal Code (for short 'the IPC'), at Police Station Sarabha Nagar, Ludhiana.

It is contended that the parties have amicably settled their dispute. The petitioner is in custody since 24.09.2016. No recovery is to be effected from the petitioner. The complainant is claiming herself to be owner of house in question on the basis of agreement to sell dated 20.02.1988 but she had lodged the FIR on 03.01.2013

On the other hand, the learned State counsel, on instructions, states that the investigating officer has telephonic instructions from son of the complainant who stated that complainant is no longer interested in pursuing the present matter. She further states that challan has not been filed so far.

Heard.

Considering the facts that petitioner is in custody since 24.09.2016 and challan is yet to be presented, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioner behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

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

16.12.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No