

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-45101-2016

Date of Decision: 23.12.2016

Kuldeep Singh @ Bobby

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. L.S.Lakhanpal, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner, Kuldeep Singh @ Bobby has filed this 3rd petition under Section 439 Cr.P. C. for grant of regular bail in case FIR No.95 dated 9.6.2015 registered for the offences under Sections 420, 465, 467, 468, 471 and 120-B IPC and Section 12 of Passports Act, 1967 at Police Station Division No.7 Jalandhar, District Jalandhar.

Notice of motion. On the asking of Court, Ms. Shivali, Assistant Advocate General, Punjab has accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that first petition filed by the petitioner seeking regular bail has been dismissed on merit vide order dated 16.09.2015. The petitioner again filed petition seeking regular bail which has also been dismissed vide order dated 27.02.2016. The aforesaid orders dated 16.09.2015 and 27.02.2016 reveal that no witness was examined by

the prosecution. Vide order dated 27.02.2016, the prosecution was directed to produce private witnesses in the trial court preferably within four months and the investigating officer of this case was also directed to attend the trial Court on each and every date till these private witnesses are examined.

Despite the aforesaid direction, no witness has been examined so far, as stated by learned State counsel.

As per the prosecution version, six passports of different persons and fake stickers of Visa of Canada have been recovered from the present petitioner.

The petitioner has been in custody since 28.06.2015. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail; without expressing any opinion on the merits of the case and in view of the fact that co-accused Kamaljit Singh @ Happy has been released on bail by this Court vide order dated 07.11.2016, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal bonds in the sum of ₹50000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

23.12.2016

parveen kumar

(INDERJIT SINGH)
JUDGE