

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

CRM-M-9653-2016 (O&M)
Date of decision : 19.08.2016

Girmail Singh @ Gurmej Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Dhriti Sharma, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by HC Narinderjit Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.26 dated 13.02.2015, registered under Sections 420, 465, 467, 468 and 120-B of the Indian Penal Code, at P.S. Dharamkot, Distt. Moga.

It is contended that on the complaint made in the year 2009, the FIR was registered in the year 2015. The father of the petitioner, Bachan Singh, was a gair marusi on the land in question which was allotted to him in the year 2000-01. The petitioner is in custody since 26.09.2015.

On the other hand, learned State counsel, on instructions, submits that the petitioner, in connivance with the Patwari has got the land owned by the Central Government transferred in his name. The charges have been framed and out of fourteen prosecution witnesses, none has been examined so far.

Heard.

The question whether the change of jamabandi at the behest of the petitioner is against the record or otherwise will be a moot point before the trial Court. The petitioner is in custody since 26.09.2015. The challan stands presented and the charges framed. None out of fourteen prosecution witnesses has been examined so far, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future. This Court feels that no useful purpose would be served by keeping the petitioner under further incarceration.

In view of the above, without advertng 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 trial Court.

19.08.2016
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(JITENDRA CHAUHAN)
JUDGE

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