

CRM-31830-2017 in/and
CRM-M-32888-2017

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-31830-2017 in/and
CRM-M-32888-2017

Date of decision: 06.10.2017

Malkiat

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Sandeep Gehlawat, Advocate for the applicant-petitioner.

Mr. Randeep S. Khaira, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

CRM-31830-2017

Documents Annexures P-5 and P-6, filed along with the application are taken on record, subject to all just exceptions. Office to tag the same at the appropriate place.

CRM stands disposed of.

CRM-M-32888-2017

1. Through this petition under Section 439 Cr.P.C., petitioner-Malkiat, has prayed for grant of regular bail in case FIR No. 20 dated 18.02.2017 registered under Sections 420, 467, 468 and 471 IPC at Police Station Patti, District Tarn Taran.

2. Learned counsel for the petitioner *inter alia* contends that the dispute in between the parties is purely of civil nature with regard to

ancestral house measuring 5 marlas. The petitioner is in custody since

04.08.2017.

3. On the other hand learned State counsel has vehemently opposed the above submissions made by learned counsel for the petitioner and produced the custody certificate of the petitioner in Court today. The same is taken on record. According to the same, the petitioner is in custody since last more than two months.

4. I have given my anxious consideration to the submissions made by learned counsel for the parties.

5. Undisputedly, the petitioner and the complainant-Sukhbir Singh, are cousin. The dispute in between them is qua ancestral house measuring 5 marlas.

6. Considering the overall circumstances of the case and the fact that the dispute in between the parties is purely of civil nature, the petitioner deserves the concession of regular bail. Thus, without expressing any opinion on the merits of the case and also that the trial is likely to take time, the instant petition is allowed and the petitioner-Malkiat is ordered to be released on bail pending trial, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate.

October 06, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**