

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

CRM-M-35657-2017 (O&M)

Date of decision: 13.10.2017

Dimpy Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. J. S. Thakur, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 195 dated 31.12.2013, under Sections 363 and 366 of the IPC, registered at Police Station Division No. 2, District Jalandhar.

Counsel for the petitioner would contend that the petitioner has been in custody since 10.07.2017 in the said FIR. It is submitted that the co-accused under the said FIR has already been acquitted by order dated 19.09.2015 passed by learned Additional Sessions Judge, Jalandhar. In fact, the witnesses in the said petition had turned hostile.

Mr. Sidakmeet Sandhu, AAG, Punjab, has appeared on behalf of the respondent-State and contested the bail application. He opposes the grant of bail to the petitioner on the ground that the petitioner had been declared a proclaimed person and he was arrested only on 10.07.2017 and on this ground alone, he would not be entitled to any relief from this Court.

I have heard learned counsel for the parties and in view of the

fact that the witnesses in the main petition had turned hostile and the main co-accused has already been acquitted, no useful purpose would be served in keeping the petitioner in custody furthermore since the trial is likely to take some time. Hence, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

13.10.2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No