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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M No. 37264 of 2017
Date of Decision: 10.10.2017

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Gurtej Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Ramesh Sharma, Advocate,
for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

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SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure seeking regular bail in case F.I.R. No. 36, dated 23.04.2015, registered under Sections 420 and 120-B of the Indian Penal Code, at Police Station Dhanaula, District Barnala.

2. This is a petition for regular bail on behalf of the petitioner, who has remained in detention since 10.06.2016.

3. It has been contended that his name was not mentioned in the original F.I.R. He has remained in detention for a very long time now and there is no progress in trial.

4. It is verified from the case diary that the petitioner's name

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transpired only through the supplementary statement of the complainant recorded under Section 161 of the Code of Criminal Procedure. The reason for not mentioning the petitioner's name in the original F.I.R. is not entirely convincing.

5. It further transpires that all the other accused persons in the case are already on bail. Out of the eighteen witnesses cited in the challan, even first one from the prosecution side is yet to be examined.

6. In the circumstances, there is no justification to keep the petitioner in further detention for an indefinite period.

7. In view of above, the present petition is allowed and the petitioner, namely Gurtej Singh son of Kehar Singh, is directed to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court.

10.10.2017 **(SUDIP AHLUWALIA)**
Apurva **JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No

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