

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

**CRM No.M-41337 of 2017
Decided on: 14.11.2017**

Mangal Khan @ Ravi Koch @ Avtar Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. G.S. Saraon, Advocate
for the petitioner.

Mr. Amandeep S. Gill, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.106 dated 21.07.2016, for offence punishable under Sections 420 read with Section 34 of the Indian Penal Code (in short 'IPC') registered at Police Station Canal Colony, District Bathinda.

Counsel for the petitioner has submitted that the petitioner is in judicial custody since 12.09.2017 and the offences are triable by the Court of Magistrate. It is further submitted that co-accused against whom the allegations of payment of money are made i.e. Amarjeet Singh Dhaliwal has been granted the concession of anticipatory bail by this Court vide order dated 03.10.2017 in CRM-M No.36736 of 2017.

Counsel for the petitioner has further submitted that investigation in the case has already been concluded, the police has already submitted the challan under Section 173 Cr.P.C. and charges are yet to be framed and conclusion of the trial will take long time.

Counsel for the State, on instructions from HC Sukh Ram has not disputed the factual position but opposed the prayer for bail.

Without commenting upon merits of the case and considering the fact that the petitioner is in judicial custody since 12.09.2017; the offences are triable by the Court of Magistrate; the investigation has already been completed and it will take long time in conclusion of the trial which is at initial stage as charges are yet to be framed, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

14.11.2017
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No