

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

**CRM-M No.2165 of 2018
Decided on: 10.07.2018**

Harinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. Sidakmeet Singh, AAG, 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.215 dated 10.10.2017, for offence punishable under Section 379-B read with Section 34 of the Indian Penal Code (in short 'IPC'), registered at Police Station Jandiala, District Amritsar.

Counsel for the petitioner has submitted that apart from the present FIR, the petitioner was involved in an FIR pertaining to the year 2010 and vide judgment dated 01.09.2015 passed by the Judicial Magistrate Ist Class, Kapurthala, he has already been acquitted in FIR No.108 dated 12.11.2010 registered under Section 382 read with Section 34 IPC at Police Station Subhanpur, Kapurthala. It is further submitted that the petitioner is in judicial lock up since 16.10.2017, he is not involved in any other case, the investigation is complete and conclusion of the trial will take some time.

Counsel for the State, on instructions from ASI Gurwinder

Singh, in reply to the query directing him to verify about pendency of the any other case as observed in the order of the Additional Sessions Judge dated 18.12.2017 has submitted that though, the petitioner has admitted in his disclosure statement, about his involvement in some other cases during the investigation, however, no FIR was registered.

Without commenting anything on merits of the case and considering the fact that the petitioner is in judicial lock up since 16.10.2017; the investigation is complete; he is no more required for any further investigation and conclusion of the trial will take some time, this 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/Illaqa Magistrate/Duty Magistrate.

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.

10.07.2018
yakub

(ARVIND SINGH SANGWAN)
JUDGE

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