

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

CRM-M No.23383 of 2018
DATE OF DECISION:23.08.2018

Swaran Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. C. L. Pawar, Senior DAG, Punjab.

DAYA CHAUDHARY, J.(ORAL)

Through the present petition filed under Section 439 Cr. P.C., the petitioner seeks regular bail in case FIR No.63, dated 05.05.2018, registered under Sections 379, 447 read with Section 34 of IPC at Police Station Anandpur Sahib, District Rupnagar.

Learned counsel for the petitioner submits that the land of the petitioner is adjoining to the land of Gram Panchayat and he cut down the trees from the land belonging to him which was in his possession. The Gram Panchayat has no concern with the land and with the trees which were alleged to have been cut. Learned counsel also submits that no demarcation has been conducted so far and petitioner was arrested on 06.05.2018 and since then he is in custody. Recovery has also been effected and nothing is to be recovered from the petitioner. Learned counsel also submits that co-accused of the petitioner namely Amrik & another have been granted anticipatory bail vide order dated 11.06.2018 in

CRM-M No.25467 of 2018. Challan qua to petitioner has also been presented.

Learned State counsel has not disputed the custody period as well as presentation of the challan and also the fact that co-accused have been released on interim bail.

By considering that the petitioner is in custody for more than three months; that the co-accused have been released on anticipatory bail, challan has been presented and no recovery is to be effected, the petition is allowed. The petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

23.08.2018
rimpal

(DAYA CHAUDHARY)
JUDGE

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