

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

**Criminal Misc. No. M-26194 of 2018 (O&M)
Date of decision: 03.08.2018**

Gurpreet Singh alias Happy

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Vikram Preet Arora, Advocate for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to petitioner-Gurpreet alias Happy in case FIR No.440 dated 25.12.2017 registered under Sections 420, 465, 468, 471 read with Section 120-B of Indian Penal Code and Section 61/1/14 of the Punjab Excise Act, at Police Station Zirakpur.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case and the investigation of the case has been completed as the challan has been presented and the petitioner is not required. Learned counsel further submits that even the FSL report has not been received so far and charges have not been framed. The trial may take long time to conclude. The offence is triable by the Magistrate. The petitioner is in custody since 25.12.2017. Learned counsel also submits that co-accused of the petitioner, namely, Ajay Grover, has approached this Court by way of filing Criminal Misc. No. M-18084 of 2018 and has been released on regular bail vide order dated 01.06.2018.

Learned State counsel has also not disputed the custody period

as well as stage of trial but has opposed grant of regular bail to the petitioner. It has also not been disputed by learned State counsel that co-accused of the petitioner, namely, Ajay Grover has been released on regular bail by this Court vide order dated 01.06.2018.

Heard the arguments of learned counsel for the petitioner and have also perused the contents of FIR and the documents on the file.

Keeping in view the submissions made by learned counsel for the petitioner and also the fact that the FSL report has not been received so far; the offence is triable by the Magistrate; only the challan has been presented; co-accused of the petitioner, namely, Ajay Grover has been released on regular bail by this Court vide order dated 01.06.2018; the petitioner is in custody since 25.12.2017; no purpose would be served by keeping him in custody and the trial may take some time to conclude, this petition is allowed and the petitioner (Gurpreet alias Happy) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

03.08.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No