

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

**Criminal Misc. No. M-28055 of 2018
Date of decision: 24.07.2018**

Dalbir Singh @ Bittu

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. S.S.Chhina, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
for the respondent -State.

Daya Chaudhary, J. (Oral)

Petitioner-Dalbir Singh @ Bittu has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.149 dated 03.10.2017 registered under Sections 489-A, 489-B and 489-C IPC at Police Station Kulgari, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas the FIR was registered on the basis of secret information and the petitioner was not named in the FIR. There is no direct evidence to connect the petitioner. Learned counsel further submits that the petitioner has been implicated in the case only on the basis of disclosure statement made by co-accused, which is not admissible in evidence. The petitioner is in custody since 09.10.2017. Learned counsel for the petitioner also submits that without receiving the FSL report, incomplete challan has been presented. Learned counsel also

submits that co-accused of the petitioner, namely, Manjit Singh, has approached this Court by way of filing Criminal Misc. No. M-43806 of 2017 and he has been released on regular bail vide order dated 28.02.2018.

Learned State counsel has not disputed the custody period as well as the release of co-accused on regular bail by this Court.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Admittedly, the petitioner is in custody since 09.10.2017 and his co-accused, namely, Manjit Singh has been released on regular bail by this Court. FSL report has not been received and incomplete challan has been presented. No purpose would be served by keeping the petitioner in custody. The trial may take time to conclude.

In view of the facts as mentioned above, the present petition is allowed and the petitioner (Dalbir Singh @ Bittu) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

24.07.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No