

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

1. CRM-M-29298-2018

Kuldeep Singh @ Happy

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-29311-2018

Sukhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 20.07.2018

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Jitender Singh Dadwal, Advocate
for the petitioners in both cases.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

These are the first petitions which have been filed under
Section 439 of the Code of Criminal Procedure for grant of regular bail to
petitioners Kuldeep Singh @ Happy and Sukhwinder Singh in case
FIR No. 0132 dated 25.05.2018, registered under Sections 61 and 78 of the
Excise Act at Police Station Jamalpur, District Ludhiana.

Learned counsel for the petitioners submits that the petitioners are in judicial lock up since 25.05.2018 and co-accused of the petitioners, namely Harpal and Baldev Singh, have already been granted concession of regular vide order dated 09.07.2018, passed by this Court in CRM-M-27214-2018 (Annexure P2). It is further submitted that petitioner Sukhwinder Singh is a driver and petitioner Kuldeep Singh @ Happy is a labourer in the godown. It is further submitted that the petitioners are on bail in another FIR and the offences, in the present FIR, are triable by the Court of a Magistrate and the conclusion of the trial is likely to take some time.

Learned State counsel has filed custody certificates which are taken on record. Learned State counsel, on instructions from ASI Jaswinder Singh, submits that the investigation is complete and the challan will be presented within a period of two weeks from today.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that the petitioners are in judicial since 25.05.2018; co-accused of the petitioners have already been granted regular bail and in view of the fact that the trial is likely to take some time as the challan is yet to be presented, the instant petitions are allowed. Petitioners Kuldeep Singh @ Happy and Sukhwinder Singh are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate, concerned.

July 20, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*