

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**1. CRM-M-29638 of 2018
Date of Decision: 17.09.2018**

Ashok Kumar

....Petitioner

VERSUS

State of Punjab

....Respondent

2. CRM-M-29920 of 2018

Amit Dass

....Petitioner

VERSUS

State of Punjab

....Respondent

3. CRM-M-30004 of 2018

Jatinder Kumar @ Sonu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sanjeev Kumar Aggarwal, Advocate
for the petitioner in CRM-M-29638-2018.

Mr. Ajit Singh, Advocate
for petitioners in CRM-M-29920 & CRM-M-30004 of 2018.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

SURINDER GUPTA, J.(Oral)

Present petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.61 dated 18.03.2018 registered for offences punishable under Sections 419/420/465/467/468/471/120-B of Indian Penal Code (for short, "IPC") at Police Station Patran, District Patiala.

Learned State counsel submits that petitioners were arrested in this case on 18.03.2018 and after completion of investigation challan against them has been presented in Court and charges have also been framed.

Learned counsel for the petitioners submit that the case is triable by Court of Magistrate. None of the person, who has been cheated in this case, has been cited as witness in the challan filed by the police. The case is based on testimony of official witnesses and there are no chances of tampering of prosecution evidence.

Keeping in view the period of incarceration of petitioners and that the case is triable by Court of Magistrate, where conclusion of trial will take considerably long time, the present petition is allowed. Petitioners, namely, Ashok Kumar in CRM-M-29638-2018, Amit Dass in CRM-M-29920-2018 and Jatinder Kumar @ Sonu in CRM-M-30004-2018 are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) Petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

September 17, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No