

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

CRM-M- 31121-2018 (O&M)

Date of Decision: November 01, 2018

Labha Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ajay Pal Singh Rehan , Advocate
for the petitioner.

Mr. R. S. Khaira, AAG, Punjab.

Mr. Amandeep Singh Manaise, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in Criminal Complaint Case No. 23 of 2014 instituted on 16.04.2014 under Sections 498-A, 406, 506, 323, 341, 120-B pending before the JMIC Gurdaspur in which the petitioner has been summoned to face trial under Sections 498-A, 406, 323 read with Section 34 IPC.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid complaint on 14.04.2018 . It is argued that the custodial interrogation of the petitioner herein is not required since it is a complaint case and he is already facing trial under

Sections 498-A, 406, 323 read with Section 34 IPC.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer and complainant, oppose the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, he does not dispute the fact that the petitioner is facing the trial.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioner herein has been in custody since 14.04.2018 and his custody is not required, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

November 01, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No