

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-31864-2017

Date of decision: January 09, 2018

Balwinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Arvind Kashyap, Advocate for the petitioner.
Mr. A.A. Pathak, Addl. Advocate General, Punjab.

Rajan Gupta, J.(oral)

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 379-B IPC and later on added sections 411, 420, 467, 468, 471, 472 IPC at Police Station Division No.2, District Pathankot, vide FIR No.87 dated 19.05.2017.

Learned counsel for the petitioner has argued that petitioner was not named in the FIR. Prosecution is primarily relying upon the disclosure statement made by the accused and the recoveries allegedly effected from him. On a query being put to the State counsel whether petitioner is involved in any other case of similar nature, answer is in the negative. Despite registration of FIR on 19.5.2017, no witness has been examined.

Heard. Keeping in view of long incarceration of the petitioner and the contentions aforesaid, I am of the considered view that no useful purpose will be served by detaining the petitioner in custody any longer. The trial may take long time to conclude. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner

(RAJAN GUPTA)
JUDGE

Yes / No

Yes / No