

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

CRM-M No.41123 of 2016 (O&M)

Date of Decision: 20.08.2018

Malkiat Singh

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Ajay Jain, Advocate
for the petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

Mr. Vishneet Singh, Advocate
for Mr. S.S. Majithia, Advocate
for the complainant.

DAYA CHAUDHARY, J. (ORAL)

CRM No.28221 of 2017

This application has become infructuous as the main case is listed for today.

Dismissed as such.

CRM No.M-41123 of 2016

This application has been moved under Section 439 Cr.P.C for grant of regular bail to petitioner-Malkiat singh in case FIR No.81 dated 13.10.2016 registered under Section 420 IPC at Police Station City Raikot, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, no offence under Section 420 IPC is made out against him. Learned counsel further submits that there

is a property dispute and a civil suit is pending. Petitioner is in custody for the last more than eight months and the offence is triable by the Magistrate. No useful purpose would be served by keeping the petitioner behind bars.

Learned State counsel has not disputed the custody period but has opposed the submissions made by learned counsel for the petitioner on the ground that the complainant has not been examined.

By considering the submissions made by learned counsel for the petitioner; the custody of more than eight months; the offence is triable by the Magistrate; trial may take long time to conclude and no useful purpose would be served by keeping the petitioner behind bars, the present petition is allowed and petitioner, namely, Malkiat Singh is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

20.08.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No