

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

CRL. MISC. No.M-42520 OF 2018
DATE OF DECISION : 5th OCTOBER, 2018

Jagdeep Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Fateh Saini, Advocate for the petitioner.

Mr. Vivek Saini, Deputy Advocate General, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed second petition under Section 439 Cr.P.C. seeking bail pending trial in FIR No.176 dated 26.08.2015 registered under Sections 406, 420, 467, 468, 471 & 506 IPC read with Section 120-B IPC at Police Station Chhappar, Tehsil Jagadhri, District Yamuna Nagar.

Heard learned counsel for the rival parties.

This Court did not accede to the request for grant of regular bail on earlier occasion because the petitioner has taken somersault qua compromise as mentioned in order dated 02.09.2016 passed in CRM-M-8814-2016 and the material witnesses has also not been examined. Now the evidence of the witness has also been recorded. I have gone through the evidence of the material witness i.e. PW-5 (Annexure P- 2), which shows that prima facie case for granting bail is made out.

The petitioner was arrested on 15.11.2015 and is in jail since then. Looking to the offences in which the petitioner seeks bail, it is clear that the same are triable by the Magistrate and the challan having been filed, it is of no use keeping the petitioner in detention as under trial since the trial will take its own time.

In that view of the matter, I am inclined to grant bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-42520 OF 2018 is allowed.
- (ii) The petitioner is ordered to be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner to surrender his passport with the trial Court, if he possesses the same.

5th OCTOBER, 2018
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*