

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.216

CRM-M-43120-2018

Date of decision : 31.10.2018

Jaswant Singh @ Kala

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sachin Jain, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab

Mr. Premjit Singh Hundal, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.97 dated 5.4.2017, registered at Police Station City Barnala, District Barnala, under Sections 419, 420, 419, 467, 468, 120-B, 201 IPC.

Learned counsel for the petitioner contends that the petitioner has been in custody since 22.6.2017. The trial is not likely to be concluded at an early date as out of 45 PWs only 33 PWs have been examined till date. The only allegation against the petitioner is that he identified the impersonator as the owner of the property in dispute. Thus, the petitioner may be released on regular bail.

The prayer is opposed by learned State counsel as well as counsel for the complainant. It is submitted that there are 02 other FIRs registered against the petitioner, in which identical allegations have been made against him. It is, therefore, likely that the petitioner may abscond in case he is granted regular bail or try to influence the witnesses.

In rejoinder, learned counsel for the petitioner submits that all the private witnesses stand examined. Thus, there is no possibility of interference with the trial.

Keeping in view the fact that the petitioner has been in custody for the last one year and four months approximately and that the trial may not be concluded at an early date, no useful purpose would be served by keeping the petitioner in custody indefinitely. Moreover, all the private witnesses have been examined and thus, there is no possibility of interference with the trial. Accordingly, I deem it appropriate to allow this petition. The petition is allowed and petitioner-Jaswant Singh @ Kala, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

31.10.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No