

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-43367 of 2018

Date of Decision: 05.10.2018

Harpreet Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. G.S. Bhasin, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.177 dated 04.08.2018 under Sections 382, 506 IPC and Section 30 Arms Act registered at Police Station Civil Lines, Bathinda.

Learned counsel for the petitioner contends that the petitioner is in custody since 04.08.2018 and there is no other case pending against him. Even otherwise, the case against the petitioner is triable by a Magistrate. It has also been brought to the notice of this Court that on account of highhandedness of the complainant, the wife of the petitioner has also filed a petition i.e. CRM-M-43399 of 2018 before this Court with

the allegations that the petitioner has falsely been implicated in the present case and the police is manipulating the investigation.

On the other hand, learned State counsel has submitted that the offences against the petitioner are quite serious in nature and therefore, he does not deserve to be admitted on bail.

I have heard learned counsel for the parties.

Considering the fact that the SSP concerned has been directed to enquire into the matter personally and submit status report, this Court finds that culpability of the petitioner is yet to be established during trial. Even otherwise, the offences are triable by a Magistrate. Since the petitioner is in custody since 04.08.2018 and there is no other case pending against him, coupled with the fact that trial in the case will take long time and no useful purpose will be served to keep the petitioner in custody, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

October 05, 2018

AK

(HARI PAL VERMA)

JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No