

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

CRM No.M-49304 of 2018 (O&M)
Date of Decision: November 26, 2018

Gurdeep Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Har Karan Singh, Advocate for
Mr.B.S.Bhalla, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.38 dated 26.04.2012 under Sections 379, 447, 511 and 34 IPC (later on Section 13(1)(d) of the Prevention of Corruption Act and Section 3(4) of the SC/ST Act have been added), registered at Police Station Mehna, District Moga.

Notice of motion.

Ms.Monika Jalota, DAG, Punjab, has put in appearance on behalf of the respondent-State and Mr.Hari Om Verma, Advocate has appeared and filed vakalatnama on behalf the complainant and contested the petition.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

From the record, I find that in the present case, the FIR is under Sections 379, 447, 511 IPC etc. As per the FIR, the allegations regarding threatening and trespass are against other co-accused. The present petitioner is not even named in the FIR. Learned counsel for the petitioner contended that petitioner had already joined the investigation in that case long time ago and when he was informed in the enquiry that he has been found innocent, he left for abroad and he was not knowing that he has been nominated in this case and has been declared proclaimed offender.

The petitioner has been in custody since 21.08.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

November 26, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No