

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

Crl. Misc. M-49744 of 2017 (O&M)

Date of Decision: May 22, 2018

Joginder Singh @ Gaggi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. A.P.S. Deol, Senior Advocate with
Mr. H.S. Mavi, Advocate
for the petitioner.

Mrs. Anju Arora, Addl. AG Punjab.

Mr. S.P.S. Sidhu, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.108 dated 11.11.2017, under Sections 354, 354-A, 506, 115, 120-B of Indian Penal Code, registered at Police Station Bariwala, District Muktsar Sahib.

Mr. A.P.S. Deol, learned Senior counsel appearing on behalf of the petitioner, assisted by Mr. H.S. Mavi, Advocate contends that the petitioner herein was taken into custody in the aforesaid FIR on 18.11.2017. It is argued that the petitioner herein has been falsely implicated in the present case and the entire exercise is to grab his property. It is also contended that investigation is complete in the matter, as the challan has

been presented and charges have been framed and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer and the counsel for the complainant oppose the grant of regular bail to the petitioner, while submitting that the petitioner herein had in fact, contracted with certain persons to have his daughter-in-law eliminated.

I have heard learned counsel for the parties.

The petitioner herein had given his voice sample, which was sent to the CFSL. A report has been received and a photocopy of the same has been taken on record.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 18.11.2017 and that investigation is complete, as the challan has been presented and charges have been framed, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

May 22, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No