

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-679 of 2019

DATE OF DECISION: JANUARY 15, 2019

NAND KUMAR & ANOTHER

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. AMARJIT SINGH SHERGILL, ADVOCATE
FOR THE PETITIONERS.

Mr. BHUPENDER BENIWAL, AAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

The petitioners have filed the present petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.28 dated 16.08.2018 under Sections 457 and 380 IPC, registered at Police Station Nakodar, District Jalandhar.

It has been alleged that the petitioners were found in possession of alleged batteries stolen from Tower ID-NGLJ-92 by breaking open the lock of shutter installed at village Nangal Jeevan by scaling the wall.

It has been contended by learned counsel for the petitioners that the petitioners are not named in the FIR. It has further been argued that the co-accused of the petitioners have already been extended the benefit of regular bail by the trial Court.

Learned State counsel on instructions from ASI Resham Singh submits that investigation in the present case is complete and the challan stands prepared and is likely to be filed in a short period.

The petitioners are in custody since 5.10.2018. The investigation is complete and the challan stands prepared. The case is triable by the Magistrate. The trial is likely to take some time to conclude and no useful purpose would be served by keeping the petitioners behind bars.

Considering the aforesaid aspects, further detention of the petitioners is not justified. Therefore, without commenting on the merits of the case, considering the custody period of the petitioners and the stage of the trial, the petitioners, namely, Nand Kumar and Kalu are admitted to regular bail, subject to their furnishing respective requisite bail bonds and surety bonds to the satisfaction of the trial Court.

Petition is allowed.

January 15, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No