

221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1804-2019 (O&M)

Date of decision:23.01.2019

Balwinder Singh @ Binda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Achin Gupta, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No.155 dated 03.10.2018 under Sections 365, 392 of IPC and Section 411 of IPC added later on, registered at Police Station City Kotkapura, District Faridkot.

Learned counsel for the petitioner contends that the name of the petitioner was not mentioned in the FIR and has come up only during the investigation. Despite that no identification parade was conducted by the police. Otherwise also, the name of the petitioner had cropped up in the statement of co-accused Baldev Raj, the Commission Agent in front of whose shop, the bags of paddy involved in the case were found. However, the abovesaid Baldev Raj has already been granted bail pending trial by this Court. Even the co-accused from whom recovery of the truck is alleged, along with the present petitioner, has already been granted bail by this Court. It is further contended that the petitioner is in custody since 06.10.2018 and the trial shall take a long time.

On the other hand, learned State counsel, being instructed by
ASI Harnek Singh, submits that the petitioner is involved in serious crime.

However, it is not disputed that the co-accused of the petitioner, with the similar allegation, have been granted bail.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

23.01.2019
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No