

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

223

**CRM-M No.3758 of 2019.
Date of Decision: 19.03.2019.**

James alias Jabbo

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.77 dated 29.11.2018 under Sections 420, 379, 411, 473, 201 of the Indian Penal Code, registered at Police Station Majitha Road, District Police Commissionerate, Amritsar.

Learned counsel representing the petitioner contended that the petitioner is in custody since 03.12.2018. The offences alleged against the present petitioner are triable by the Court of Magistrate. Moreso, all the three co-accused, namely, Sunny, Amritpal Singh alias Mutti and Baljit Singh alias Sabi have already been granted bail in this case vide orders dated 29.01.2019, 08.03.2019 and 18.03.2019 respectively passed in CRM-M Nos.3211, 9601 and 10987 of 2019. Trial of the case still to take some more time, no useful purpose would be served by detaining the petitioner behind the bar, so he be released on bail.

Reply by way of affidavit of Sarbjit Singh, Assistant Commissioner of Police, North, Amritsar City, filed on behalf of respondent-State is taken on record.

Learned State counsel does not dispute the factual position.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to any of the party and taking into consideration the fact that the petitioner is in custody since 03.12.2018, the offences alleged against the present petitioner are triable by the Court of Magistrate, the three co-accused, namely, Sunny, Amritpal Singh alias Mutti and Baljit Singh alias Sabi have already been granted bail in this case vide orders dated 29.01.2019, 08.03.2019 and 18.03.2019 respectively passed in CRM-M Nos.3211, 9601 and 10987 of 2019; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner-James alias Jabbo is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

19.03.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No