

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

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**CRM-M No.10661 of 2019.
Date of Decision: 12.04.2019.**

Hartirath Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Sahil Soi, Advocate, for the petitioner.

Mr. Rajat Bansal, Assistant 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.78 dated 20.04.2005 under Sections 382, 511, 34 of the Indian Penal Code and Section 25, 54 of the Arms Act, 1959, registered at Police Station Nurmahal, District Jalandhar.

Learned counsel representing the petitioner contended that the petitioner has been falsely implicated in the case and he is in custody since 12.08.2018 and the offences alleged against the petitioner are triable by the Court of Magistrate. 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.

Learned State counsel opposed the prayer for bail on the ground that petitioner remained proclaimed offender since 11.07.2009 and

was arrested on 12.08.2018, as such, he is not entitled to be released on bail.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to the case of either of the parties, but taking into consideration the fact that the petitioner is in custody since 12.08.2018; 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-Hartirath Singh 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

12.04.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No