

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

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CRM-M-11242-2019.

Date of Decision: 23.05.2019.

Bhupinder Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Rituraj Singh, 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 is for grant of regular bail to petitioner-Bhupinder Singh in case F.I.R. No.17 dated 26.01.2018 under Sections 406, 420, 465, 467, 471 of the Indian Penal Code, registered at Police Station Model Town, District Hoshiarpur.

Learned counsel representing petitioner contended that petitioner Bhupinder Singh was arrayed as an accused in F.I.R. No.71 of 2011, 125 of 2005 & 126 of 2005 and in all those three cases, he was acquitted after trial. Moreso, the petitioner is in custody since 19.08.2018 and the trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel initially raised objection regarding pendency of three cases and opposed the prayer for bail on the ground that the petitioner is habitual offender. However, in view of the copy of orders placed on file today, petitioner Bhupinder Singh has already been acquitted in all the three cases which were pending against him.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact the petitioner is in custody since 19.08.2018 and offences alleged against the petitioner are triable by the Court of Magistrate; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Bhupinder 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

23.05.2019

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No