

Crl. Misc. No. M-21695 of 2018 (O&M)

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-21695 of 2018 (O&M)

DATE OF DECISION:30.01.2019

Harpal Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Pardeep Singh Mirpur, Advocate
for the petitioners.

Mr. Amit Mehta, Senior DAG, Punjab.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. has been filed by petitioners, namely, Harpal Singh and Harpreet Singh for grant of regular bail in case FIR No. 0077 dated 28.3.2018 registered under Sections 255/420/259/260/465/468/471 IPC at Police Station Rama, District Bathinda.

On the last date of hearing, the case was adjourned as the investigating officer of the case, who was material witness, was not examined. Today, learned counsel for the petitioners contends that all material witnesses have been examined. Learned counsel further contends that out of total nine prosecution witnesses, statements of four prosecution witnesses including the investigating officer of the case have been recorded.

The petitioner is in custody since 28.3.2018; trial may take sometime to conclude and no purpose would be served by keeping him behind the bars.

Learned counsel for respondent-State has not disputed the custody period, stage of trial and examination of investigating officer of the case.

Without commenting anything on the merits of the case as well as by considering the custody of the petitioners since 28.3.2018 and also the facts that out of total nine prosecution witnesses, four material witnesses have been examined; trial may take some time to conclude and no purpose would be served by keeping the petitioners behind the bars, the present petition is allowed. Petitioners, namely, Harpal Singh and Harpreet Singh are directed to be released on regular bail subject to their furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

January 30, 2019
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No