

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M No. 32751 of 2018 (O&M)

Date of decision : 16.01.2019

Pawanpreet Singh @ Pawan

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

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DAYA CHAUDHARY, J. (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.13 dated 06.02.2018 under Sections 379-B and 411 of the Indian Penal Code, 1860 (for short - 'IPC'), registered at Police Station – Kot Ise Khan, Distt. Moga, during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner is in custody since 20.02.2018. He is on bail in other case under Section 379-B IPC. Co-accused of the petitioner namely Jagjit Singh filed CRM-M No.32061 of 2018 and he has been released on regular bail vide order dated 30.11.2018. Challan has been presented and recovery has also been effected from co-accused Jagjit Singh.

Learned State counsel has not disputed the custody period as well as factum of release of co-accused Jagjit Singh on bail.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have perused the contents of the FIR and other documents on file.

By considering the submissions made by learned counsel for the petitioner and keeping in view the period of custody since 20.02.2018 and also the fact that co-accused of the petitioner namely Jagjit Singh has been released on regular bail; in other case of similar offence, the petitioner is on bail; the complainant has also been examined, no purpose would be served by keeping the petitioner in custody. Accordingly, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing adequate bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate. It is made clear that in case the petitioner is found to be involved in any other case of similar nature, the State is at liberty to move application for cancellation of bail.

16.01.2019

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No