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

**CRM-M-16678-2019(O & M)
Date of Decision: 15.05.2019**

Satpal @ Banti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. H.S.Sitta, AAG, Punjab.

MANOJ BAJAJ, J.(Oral)

Petitioner-Satpal @ Banti has prayed for grant of regular bail in case FIR No.12 dated 24.02.2018 under Sections 457, 380 of the Indian Penal Code ('IPC' for short) and Sections 411, 420, 482, 465, 467, 468, 471, 474 & 485 of IPC (Added later on) registered at Police Station Dhilwan, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the said case, which has been registered on the basis of the complaint made by the complainant Santokh Singh Ex. Sarpanch. It was alleged that tractor of the complainant was stolen by some unknown persons. The FIR is based upon hearsay version. It has been argued that there is unexplained delay of three days in lodging the FIR. He further contends that the co-accused, namely, Onkar Singh @ Kaka has already been granted concession of regular bail by this Court vide order dated 27.02.2019.

On the other hand, learned State counsel assisted by ASI Balbir Singh opposed the bail application. It is not in dispute that investigation is complete and the challan was filed on 19.07.2018. The offence is triable by the Magistrate. It is also not disputed by the learned State counsel that the charges have not been framed in this case so far and the trial is likely to consume considerable time. Case of the petitioner is at par with the co-accused Onkar Singh to whom the concession of regular bail has already been extended. It is also not disputed that the charges have not been framed in this case.

Considering the above background of the case and the nature of the trial which is triable by the Magistrate, further custody of the petitioner is not justifiable. Therefore, without meaning any expression of opinion on the merits of the case petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

The petition is allowed.

15th May, 2019

shabha

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : *Yes/No*