

221

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

CRM-M-17773 of 2019

Date of decision: July 22, 2019

Iqbal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sandeep Sharma, Advocate for
Mr. Rajesh Bhatheja, Advocate for the petitioner.

Mr. Saurav Khurana, DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner, in FIR No.117 dated 23.12.2016, under Sections 420, 465, 467, 468, 471, 120-B of Indian Penal Code, 1860 (for short 'IPC') (Sections 465, 467, 468, 471 IPC added later on), registered at Police Station Mehna, District Moga.

As per prosecution case, petitioner cheated the complainant and misappropriated the property of others.

Contentends that petitioner is in custody since 12.11.2018 and charges were framed on 02.03.2019. Also contends that out of total 20 prosecution witnesses, none has been examined.

The above factual position is duly acknowledge by learned State counsel, on instructions from Sub Inspector Sukhwinder Singh.

Heard both sides and perused the paper-book.

Since the case is triable by Magistrate, petitioner is in custody since 12.11.2018, and out of total 20 prosecution witnesses, none has been examined; therefore, the trial will take long time to conclude. In that view of the matter, further incarceration of the petitioner would not serve any useful purpose; thus, this Court deems it appropriate to release him on bail pending trial.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

July 22, 2019

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No