

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.208

CRM-M-44656-2018 (O&M)

Date of decision : 21.2.2019

Krishan Gopal

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Arun Abrol, Advocate, for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.133 dated 21.11.2016, registered at Police Station Dinanagar now Sadar Gurdaspur, under Sections 409, 406, 420, 120-B IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody for more than 06 months. The trial is not likely to be concluded at an early date as out of 14 PWs only 02 PWs have been examined till date. Co-accused has been granted anticipatory bail vide order dated 20.2.2019 passed by this Court in CRM-M-53375-2018 and thus, the petitioner may be released on regular bail.

Custody certificate dated 21.2.2019, by way of affidavit of Sh. Karanjit Singh, Superintendent, Central Jail, Gurdaspur, has been filed by the learned State counsel in Court and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 06 months and 04 days. Two other cases under Section 138 of the Negotiable Instruments Act, 1881 and one case under Section 420 IPC are pending against the petitioner. These cases are of similar nature as the present case and have been registered on account of business activity of the petitioner of rice shelling.

Thus, keeping in view the fact that the trial is not likely to be concluded at an early date and that the petitioner is not accused of any other serious or heinous criminal offence, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Krishan Gopal, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

21.2.2019
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No