

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

CRM-M No. 43741 of 2017

Date of decision : 23.01.2019

Sandeep Singh

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Maninder Bharthy, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, 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.40 dated 29.03.2017 under Sections 406, 420, 465, 467, 468, 471, 474, 120-B of the Indian Penal Code, 1860, registered at Police Station – Mataur, Distt. S.A.S. Nagar (Mohali), during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas he was not involved. He is in custody since 09.05.2017. There are total 30 prosecution witnesses and out of them 7 witnesses, including the material witnesses, have been examined. Trial may take some time to conclude. Petitioner is on bail in the other case. No purpose would be served by keeping him in custody.

Learned State counsel has not disputed the period of custody

undergone by the petitioner.

Heard arguments of learned counsel for the parties and have also perused the contents of the FIR and other documents available on record.

By considering the submissions raised by learned counsel for the petitioner and keeping in view the period of custody undergone by the petitioner *i.e.* more than 20 months and also the fact that the offence is triable by the Magistrate; petitioner is on bail in the other case; there are total 30 prosecution witnesses, out of them 7 witnesses including the material witnesses, have been examined and still trial may take time to conclude, no purpose would be served by keeping the petitioner in custody. Accordingly, present 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.

23.01.2019

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No