

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

223)

Crl. Misc. No.M-21434 of 2019(O&M)

Date of Decision: 05.11.2019

Balkar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Vipul Jindal, Advocate, for the petitioner.
Mr. APS Gill, DAG, Punjab

Amol Rattan Singh, J. (Oral)

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail'.

Though learned counsel for the petitioner has also raised an issue with regard to the offer made to the petitioner to be produced before a gazetted officer being an ambiguous offer because the words used by the arresting officer were “gazetted police officer” and not “gazetted officer”, without making any comment on the actual merits of the case, since it is seen that petitioner has been in custody for the past 2 years and 7 months, with only 2 out of 11 prosecution witnesses having been examined so far, with no other criminal case shown to be registered against him (as per the learned State counsel on instructions from ASI Nachhater Singh), I consider it appropriate to admit the petitioner to bail during the pendency of the trial.

Consequently, without making any comment on the actual merits of the case, for or against the petitioner, this petition is allowed. The petitioner would be enlarged on bail, upon his furnishing adequate bail and

surety bonds to the satisfaction of the trial Court.

05.11.2019
vcgarg

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No