

Crl. Misc. No. M-46468 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-46468 of 2018

DATE OF DECISION:21.02.2019

Gurwant Singh @ Ganja and another

.....Petitioners

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Munish Puri, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. has been filed by petitioners, namely, Gurwant Singh @ Ganja and Sitara @ Budha for grant of regular bail to them in case FIR No. 98 dated 11.8.2018 registered under Sections 379,411,420,473,467,468,471 IPC at Police Station Division No.2, District Pathankot.

Learned counsel for the petitioners contends that the petitioners have falsely been implicated in this case. Out of total 17 prosecution witnesses, all material witnesses have been examined and trial may take some time to conclude. The offence is triable by Magistrate and the petitioners are in custody since 14.8.2018.

Learned counsel for respondent-State has not disputed the

Crl. Misc. No. M-46468 of 2018(2)

custody period, stage of the trial as well as the fact that no other case is there against the petitioners.

Heard the arguments advanced by learned counsel for the parties and have also gone through the contents of the FIR and other documents available on the file.

By considering the custody of the petitioners, which is more than six months and the facts that the offence is triable by Magistrate; no other case is there against the petitioners; all material witnesses have been examined; trial may take long time to conclude and no purpose would be served by keeping the petitioners behind the bars, the present petition is allowed. Petitioners, namely, Gurwant Singh @ Ganja and Sitara @ Budha are directed to be released on regular bail subject to their furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

February 21, 2019pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No