

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

CRM-M-53998-2018
Date of decision: 25.02.2019

Kamaljit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Manpreet Ghuman, dvocate for
Mr. S. S. Bhinder, Advocate
for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 read with Section 437(6) of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 191 dated 03.07.2017, under Sections 420, 419, 467, 468, 471, 120-B of the IPC, registered at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner submits that petitioner is in judicial custody since 13.10.2017 and out of total 33 prosecution witnesses, only 04 have been examined so far. It is further submitted that offences are triable by the Court of a Magistrate, therefore, it will take a long time in conclusion of the trial.

Learned counsel for the petitioner further submits that co-accused of the petitioner, namely Gurvinder Singh, Sri Ram, Gurjant Singh, Jang Singh, Sunil Kumar @ Shina, Nirbhai Singh and Jobanjot

Singh, have already been granted concession of regular bail, vide orders dated 03.1.2018, 06.08.2018, 14.12.2018, 02.07.2018, 01.08.2018, 10.05.2018 and 15.10.2018, passed by this Court in CRM-M Nos. 52047, 32144, 42603, 11588, 31408, 18510 and 44574 of 2018, respectively.

Learned State counsel, on the basis of the custody certificate filed in Court today and on instructions from ASI Gurwinder Singh, has submitted that petitioner has undergone judicial custody of 09 months and 28 days and he is involved in some other cases where in three cases, he has already undergone entire sentence and in one case, he stands acquitted.

Learned State counsel, on the basis of the custody certificate filed in Court today, has not disputed the fact that petitioner is in judicial custody since 13.10.2017, however, it is submitted that petitioner is also involved in two more FIRs of similar nature.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is in judicial custody since 13.10.2017; offences are triable by the Court of a Magistrate; co-accused have already been granted concession of regular bail by this Court and also in view of the fact that trial is likely to take a long time as only 04 prosecution witnesses have been examined out of total 33 witnesses, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and two sureties to the satisfaction of the trial Court/Duty Magistrate concerned.

February 25, 2019

Waseem Ansari

*Whether speaking/reasoned
Whether reportable*

**(ARVIND SINGH SANGWAN)
JUDGE**

*Yes/No
Yes/No*