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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-27931-2019

Date of Decision : July 12, 2019

Navjit Singh

.... Petitioner

Versus

State of Punjab

.... Respondents

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Argued by Mr. Vinod S. Bhardwaj, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab,
for respondent-State .

SHEKHER DHAWAN, J.

Present petition under Section 439 of the Code of Criminal Procedure is for grant of regular bail in case bearing FIR No. 104 dated 25.5.2017 (Annexure P/1) under Sections 406 and 420 IPC registered at Police Station Phase-I, S.A.S. Nagar, Mohali.

2. Learned counsel for the petitioner contended that the offence alleged against the petitioner is triable by the court of Magistrate and the trial of the case still to take some more time. The petitioner is in custody since 17.7.2018. So, he be released on bail in this case.

3. Learned State counsel while opposing the bail application of the petitioner contended that the petitioner there are total 74 cases of similar nature against the petitioner and he is habitual of committing such offences. So, he is not entitled to bail in this case.

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4. While arguing on this point, learned counsel for the petitioner contended that in similar case, the petitioner has already been released on bail in case bearing FIR No. 41 dated 06.03.2017 under Sections 406 and 420 IPC registered at Police Station Phase-I, S.A.S. Nagar, Mohali vide orders dated 12.03.2019 (Annexure P/11) passed by this Co-ordinate Bench of Court in CRM-M-25223 of 2017. So, the petitioner be released on regular bail.

5. Having considered the submissions made by learned counsel for the parties and appraisal of record of this case file, this Court is of the considered view that the petitioner is in custody in this case since 17.07.2018 and in similar matter, he has already been released by this Court vide orders, Annexure P/11; trial of this case still to take some more time, no purpose would be served by keeping the petitioner behind the bars.

6. Resultantly, the present petition stands allowed and petitioner, Navjit Singh is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court / Chief Judicial Magistrate/Duty Magistrate concerned.

7. Any observation made herein above shall have no bearing on the merits of the case.

(SHEKHER DHAWAN)
JUDGE

July 12, 2019

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Whether speaking/reasoned?	:	Yes
Whether reportable?	:	Yes