

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

Crl. Misc. No.M-27900 of 2019

Date of Decision: 22.08.2019

Jatinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Deepak Aggarwal, Advocate, for the petitioner.
Mr. APS Gill, DAG, Punjab

Amol Rattan Singh, J. (Oral)

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

Learned counsel for the petitioner submits that the petitioner admittedly not having been apprehended at the spot where his co-accused, Kulwinder Singh and Amrik Singh, are stated to have been apprehended carrying contraband (as per the case of the prosecution), and he having been named by them in an alleged disclosure statement made to the police, with those two persons, as also other co-accused who are also similarly named having been admitted to bail by this Court, the present petitioner deserves the concession of bail, he having remained in custody for the last 1 year and 7 months, with no prosecution witness examined so far.

Learned State counsel on instructions from the police official who is present in Court to assist him, could not deny that out of the 24

prosecution witnesses, no witness has been examined so far, though 4 witnesses have been bound down to appear before the trial court.

Keeping in view the above and the fact that the petitioner has remained in custody for the last 1 year and 7 months, 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.

22.08.2019
vcgarg

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No