

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

228

CRM-M-29077-2019.

Date of Decision: 16.07.2019.

Jhaggu alias BK

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Surmeet S. Sandhu, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner- Jhaggu alias BK son of Sas Bahadur in case F.I.R. No.52 dated 22.03.2019 under Sections 420, 406 of the Indian Penal Code, registered at Police Station City Kapurthala.

Learned counsel representing petitioner contended that the petitioner is in custody since 24.03.2019 and the offences alleged against the petitioner are triable by the Court of Magistrate. The trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel opposed the prayer for bail to the petitioner on the ground that the present petition be dismissed as petitioner is resident of Nepal and if released on bail, it may become difficult to get

him re-arrested.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact the petitioner is in custody since 24.03.2019 and the offences alleged against the petitioner are triable by the Court of Magistrate; the trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Jhaggu alias BK, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate. However, at the time of release of the petitioner on bail, learned trial Judge shall pass an appropriate order to the effect that sureties are sound and they are local residents.

(SHEKHER DHAWAN)
JUDGE

16.07.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No