

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

CRM-M-30289 of 2019
Date of Decision: 13.09.2019

Manpreet Singh @ Manga and anr

....Petitioners

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Aayush Gupta, Advocate for the petitioners.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 439 Cr.P.C. seeking bail pending trial in case FIR No. 0114 dated 15.05.2019, under Sections 379-B, 506 and 34 of the Indian Penal Code registered at Police Station Sahnewal, District Police Commissionerate Ludhiana.

Learned counsel for the petitioners contends that there is a delay of ten days in lodging the FIR as the occurrence is stated to have taken place on 05.05.2019 and the FIR was registered on 15.05.2019. Further contends that the petitioners are in custody since 15.05.2019 and after investigation in the matter report under Section 173 Cr.P.C. was submitted on 12.07.2019 and charges are yet to be framed. Also contends that there is no other criminal case pending against the petitioners.

The above factual position is duly acknowledged by learned State counsel on instructions from the police official.

Heard learned counsel for the parties and perused the paper book.

Undisputedly, there is delay of ten days in lodging the FIR and petitioners are in custody since 15.05.2019. The report under Section 173 Cr.P.C. has already been submitted on 12.07.2019 and now the case is fixed for consideration of charges on 24.09.2019. Thus, trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioners behind the bars any more.

In view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioners, namely Manpreet Singh @ Manga and Deepak Singh @ Deep be admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

September 13, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no