

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

CRM-M No.32432 of 2019 (O&M)
DATE OF DECISION : 2nd DECEMBER, 2019

Shaminder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Rajesh Gupta, Advocate for the petitioner.

Mrs. Amarjit Kaur Khurana, DAG, Punjab.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.170 dated 11.06.2019 registered under Sections 177, 199, 200, 419, 420, 465, 467, 468, 471 & 120-B IPC at Police Station Division No.5, District Ludhiana.

Learned counsel for the petitioner contends that the case against the petitioner is wrongly created. In any case, the allegation against the petitioner is not that he committed any independent crime as such. Even the allegation is only this that he appeared as a surety for accused Sunny Kumar, however, disclosing his name as Nirbhai Singh. For the alleged default the petitioner is in custody since 11.06.2019. The challan has already been filed. Therefore, the petitioner is not required for investigation purpose. There is no other case against the petitioner. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, learned counsel for the State, on instructions submits that the petitioner committed heinous crime of making misrepresentation before the Court of law. However, it is not disputed that the petitioner is in custody since 11.06.2019 and that there is no other case against the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

2nd DECEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>