

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

221

CRM-M-33438-2019.

Date of Decision: 27.08.2019.

Satwant Singh Brar

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Pratham Sethi, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. 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-Satwant Singh Brar son of Karnail Singh Brar in case F.I.R. No.122 dated 02.09.2015 under Section 7(1) of the Essential Commodities Act, 1955, Section 13/18/21-B of the Insecticides Act, 1968, Section 420, 186, 120-B of the Indian Penal Code (Section 201 IPC added lateron), Section 7, 8, 28(1)A, 28(1)D and Section 35 of the Fertilizers Control Order, 1985 and Sections 7, 13(1)D of the Prevention of Corruption Act (added on 03.10.2015), registered at Police Station Raman, District Bathinda.

Learned counsel representing petitioner contended that the petitioner is in custody since 29.04.2019 and he was not named in the F.I.R. even. Moreso, all the co-accused in this case have already been released on bail. 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 on the ground that that F.I.R. relates to the year 2015 and the petitioner had been avoiding the process of the Court for period of about 04 years and surrendered on 29.04.2019 and in case the petitioner is released on bail, he be again flee away, so the present petition be dismissed.

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 29.04.2019 and co-accused have already been released on bail, investigation is already complete and no recovery is to be effected from the present petitioner; 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—Satwant Singh Brar, is ordered to be admitted to regular bail on his furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate, Bathinda. However, learned Chief Judicial Magistrate, Bathinda shall ensure that adequate surety bonds are furnished by the petitioner.

(SHEKHER DHAWAN)
JUDGE

27.08.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No