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

CRM-M-33569 of 2019

Date of decision: September 12, 2019

Rajwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. J.S. Dadwal, Advocate for the petitioner.

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

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in FIR No.81 dated 20.05.2019, under Sections 365,120-B of Indian Penal Code, 1860 (for short 'IPC'), whereas challan has been presented under Sections 306, 342, 201, 120-B of IPC and deleted other sections of IPC, registered at Police Station Sadar Faridkot, District Faridkot.

As per prosecution case, petitioner was nominated in this case on the basis of disclosure statement suffered by co-accused, namely Ranbir Singh.

In pursuance of previous order dated 06.09.2019 passed by this Court, Sh. B.S. Sidhu, Superintendent of Police, is present in Court and has candidly stated that except disclosure-statement dated 10.06.2019 of co-accused, namely Ranbir Singh, there is no material available with the police for the complicity of the petitioner, in this case.

Contends that petitioner is in custody since 14.06.2019, challan has already been presented and charges are yet to be framed. Also contends that the petitioner has been implicated in this case on the basis of disclosure-statement of his co-accused.

The above factual position is duly acknowledged by learned State counsel, on instructions from Superintendent of Police Sh. B.S. Sidhu.

Heard both sides and perused the paper-book.

Since the petitioner is in custody since 14.06.2019, challan has been presented and charges are yet to be framed, in this case, therefore, the trial will take sufficient long time. Thus, further incarceration of the petitioner would not serve any purpose.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

September 12, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No