

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

CRM-M No.34143 of 2019 (O&M)

Date of Decision: 27.08.2019

Rajwinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sarju Puri, Advocate for the petitioner.

Mr. Harpreet Singh Multani, Assistant Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in case bearing FIR No.219 dated 17.07.2018, under Sections 406 and 420 of the Indian Penal Code, 1860, registered at Police Station City Rajpura, District Patiala.

Contentends that petitioner is in custody since 03.07.2019 and after investigation, challan under Section 173 Cr.P.C. has already been submitted before the Court of competent jurisdiction on 02.08.2019 and charges are yet to be framed.

The above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Satnam Singh, but opposed the bail primarily on the ground that petitioner is facing four other cases of similar nature.

In response to the plea, raised by learned State Counsel, Mr. Puri has conceded that cases are pending against the petitioner, but he is on bail in three cases.

Be that as it may, since the matter has been compromised by the petitioner with the complainant and report under Section 173 Cr.P.C. has already been submitted before the Court of competent jurisdiction on 02.08.2019, therefore, further incarceration of the petitioner will not serve any purpose. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner be admitted to bail on his furnishing 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.

It is clarified that in case there is recurrence on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

August 27, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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