

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-34174-2019(O&M)

Date of decision : 27.08.2019

Hardeep Singh

.....Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arjun Veer Sharma, Advocate, for the petitioner.
Mr. SPS Tinna, Addl. A.G., Punjab

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail in FIR No.170 dated 18.05.2017, registered under Section 379 IPC and Section 21 of Mines and Minerals (Development and Regulation) Act, 1957, at Police Station Basti Jodhewal, District Police Commissionerate Ludhiana, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner was granted concession of regular bail but he could not appear before the trial court on 21.01.2019 as he was in custody in another case. Hence, he was declared proclaimed person on 21.01.2019. He further submits that the petitioner was granted concession of regular bail in other case on 29.03.2019 and he surrendered before the trial court on 25.04.2019 and since then he is in custody.

Learned State counsel does not dispute this factual position.

Case is triable by Magistrate. The prosecution has only examined 2 witnesses out of 8 proposed to be examined. Conclusion of the trial is likely to take time. Petitioner is in custody after surrender for more than 4 months.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody for more than six months and the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

August 27, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No