

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

224)

Crl. Misc. No.M-36031 of 2019(O&M)

Date of Decision: 17.09.2019

Baldev Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Raj Kumar Gupta, Advocate, for the petitioner.
Mr. APS Gill, DAG, Punjab

Amol Rattan Singh, J. (Oral)

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail'.

Mr. Gupta, learned counsel for the petitioner, submits that though the signatures of the SHO of Police Station, Dharamkot, i.e. Prabhjot Kaur, are shown to be in English in the FIR dated 08.06.2018, her signatures on the memo recording the dispatch of the seized contraband (stated to have been seized from the petitioner), are seen to be in *Gurumukhi*, with the date as per the learned counsel for the petitioner on it being 09.06.2018, because by the time the dispatch took place, the date had changed, with the time of the recording of the FIR shown to be 10.30 p.m., the petitioner having been apprehended, as per the prosecution, at 8.15 p.m.

A copy of the said FIR has been annexed as Annexure P-1 with the petition.

Learned State counsel on the other hand has produced in Court

today from the police file, a copy of the same FIR, shown to be signed by the aforesaid SHO in *Gurumukhi*.

Though it is seen that the copy produced by the learned State counsel is entirely in a printed format, including the number of the FIR, on the copy of the FIR annexed with present petition, the words and figures, i.e. FIR no.87, are written in hand.

Without making any comment on the aforesaid contention and the effect thereof, seeing also the fact that the petitioner is in custody for the past 1 year and 3 months, with 5 witnesses still left to be examined, with no other case stated to be registered against him as per the learned State counsel on instructions received by him from the police official who is present in Court to assist him, I deem it appropriate to admit the petitioner to bail during the pendency of the trial.

Consequently, this petition is allowed. The petitioner would be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

17.09.2019
vcgarg

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No