

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

**CRM-M No.36746 of 2019 (O&M)
Date of Decision: 09.09.2019**

Dharminder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.K.Choudhary, Advocate for the petitioner.

Mr. Venu Gopal Jauhar, Sr. DAG, 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.49 dated 27.06.2019, under Sections 420, 471, 34 of the Indian Penal Code, 1860, registered at Police Station Sujampur, District Pathankot.

Contentends that petitioner is in custody since 27.06.2019 and challan has already been presented before the Court of competent jurisdiction. Also contends that no other criminal case is pending against the petitioner.

The above factual position is duly acknowledged by learned State Counsel on instructions from ASI Som Dutt, but opposed the bail application.

Heard both sides and perused the paper-book.

There is no dispute that petitioner is in custody since 27.06.2019 and no other criminal case is pending against him, therefore, there is no

justification to keep the petitioner behind the bars any more. 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 any recurrence on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

September 09, 2019

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No