

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

225)

Crl. Misc. No.M-37615 of 2019(O&M)

Date of Decision: 13.09.2019

Som Nath @ Lovi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Sumeet Puri, Advocate, for the petitioner.
Mr. APS Gill, DAG, Punjab

Amol Rattan Singh, J. (Oral)

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

Learned counsel for the petitioner has produced in Court an order of this Court (this Bench) dated 16.08.2019, passed in CRM-M-26459 of 2019, admitting the co-accused of the petitioner to bail, i.e. Jagsir Singh alias Seera, on the ground that the FIR having been registered on 12.04.2019 and at that stage the report under Section 173 of the Cr.P.C. not having been still presented to the competent court with the report of the Forensic Science Laboratory also still to be received, he could not kept in custody indefinitely.

Today learned State counsel, on instructions from the police official who is present in Court, submits that the '*challan*' has been submitted to the trial court on 10.09.2019, with the FSL report also

received.

In view of the fact that the petitioner is in custody for the past 5 months and the trial is still to commence, with it also stated that he is not involved in any other criminal case, as per instructions of the learned State counsel, simply on the ground of parity, without making any comment on the actual merits of the case, for or against the petitioner, I deem it appropriate to allow this petition.

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.

13.09.2019
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(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: no