

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

218

**CRM-M No. 37667 of 2019
Date of decision : 29.11.2019**

Remas @ Rebas @ Refas

.....Petitioner

Vs.

The State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Tarun Jhatta, Advocate, for the petitioner
Mr. Harbir Sandhu, AAG, Punjab

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 171 dated 24.12.2018, registered under Sections 397/398 IPC and Sections 25 and 27 of Arms Act, 1959, at Police Station Makhu, District Ferozepur.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. The name of the petitioner was not mentioned in the FIR. Even as per the story of the prosecution, as has come during the trial, the petitioner was not named as the person present at the time of occurrence. The petitioner is in custody since 22.3.2019. There is no other case against the petitioner. Out of 12 prosecution witnesses, only 6 witnesses have been examined. Hence, completion of trial would require long time.

On the other hand, learned counsel for the State, being instructed by ASI Gurdeep Singh, submits that the petitioner forms part of a gang, which indulges in robbery and looting. However, it is not disputed that the petitioner is in custody since 22.3.2019 and that there is no other case against the

petitioner.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

29.11.2019
Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No