

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

**CRM-M No.40063 of 2019 (O&M)
Date of Decision: 25.09.2019**

Jaswinder 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 after investigation in the matter, report under Section 173 Cr.P.C. has already been presented on 05.08.2019 and charges are yet to be framed. Also contentends that co-accused with the similar allegations, namely, Dharminder Singh has already been granted the concession of bail pending trial by this Court, vide order dated 09.09.2019 (P-2). Further contentends that petitioner is not involved in any other criminal case.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from the police official present in the Court, but opposed the present bail application.

Heard both sides and perused the paper-book.

Concededly, there is no other criminal case pending against the petitioner; he is in custody since 27.06.2019 and challan has already been presented before the Court of competent jurisdiction, but charges are yet to be framed, thus, trial is likely to take long time for its conclusion. 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 25, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>