

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

**CRM-M No.40110 of 2019 (O&M)
Date of Decision: 24.09.2019**

Khattar Yadav

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. D.K.Bhatti, Advocate for the petitioner.

Mr. Harpreet Singh Multani, AAG, 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.147 dated 16.05.2019, under Sections 181, 419, 420, 466, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station Division No.5, District Ludhiana.

Contentends that petitioner is in custody since 16.05.2019 and after investigation in the matter, challan has already been presented on 22.08.2019 and charges are yet to be framed. Also contends that petitioner is not involved in any other criminal case.

Learned State Counsel, on instructions from ASI Kuldeep Singh, has opposed the prayer of the petitioner primarily on the ground that FIR has been registered by learned Chief Judicial Magistrate, Ludhiana.

Heard both sides and perused the paper-book.

Since the case is triable by the Magistrate; petitioner is in custody since 16.05.2019 and challan has already been presented before the Court of competent jurisdiction, 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 Haryana would be at liberty to move an appropriate application for recalling of this order.

September 24, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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