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

CRM-M-46746 of 2019

Date of decision: November 07, 2019

Gurpal Singh @ Bagga

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pankaj Garg, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in FIR No.291 dated 05.09.2019, under Sections 436, 451, 427 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Sadar Mansa, District Mansa.

Custody certificate dated 07.11.2019 filed by the learned State counsel, today in Court, is taken on record.

As per prosecution case, petitioner entered the house of the complainant, namely Bhura Singh and set certain articles on fire.

Contentends that the petitioner is in custody since 13.09.2019 and allegation against him is that he entered into the house of his in-laws; thus, by no stretch of imagination, it could be construed as a trespassing. Also contends that investigation in this case, is already

over.

Learned State counsel, on instructions from the police official present in Court, has acknowledged the fact that the investigation in the matter is completed.

Heard both sides and perused the paper-book.

As the petitioner is in custody since 13.09.2019 and investigation in the matter is already over; thus, the trial will take sufficient long time. Therefore, further incarceration of the petitioner would not serve any purpose.

In view of the above, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on his furnishing adequate 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.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

November 07, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No