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

CRM-M-48448 of 2019

Date of decision: November 20, 2019

Gagna alias Jaswinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amaninder Singh Sekhon, 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.31 dated 26.05.2019, under Sections 341, 323, 148, 149, 379 of the Indian Penal Code, 1860 (for short 'IPC') (Section 379-A of IPC added later on), registered at Police Station Sadiq, District Faridkot.

Custody certificate dated 20.11.2019 filed by the learned State counsel, today in Court, is taken on record.

As per prosecution case, petitioner along with other co-accused caused injuries to the complainant and others as well as snatched their belongings, including mobile phone.

Contends that the petitioner is in custody since 30.08.2019 and after investigation, report under Section 173 Cr. P.C. has already been submitted. Also contends that there is no other criminal case against

the petitioner and even the co-accused, namely Ajaydev Singh with similar allegations has already been granted the concession of bail pending trial vide order dated 09.09.2019.

The above factual position is duly acknowledged by the learned State counsel, on instructions from police official present in Court to assist him.

Heard both sides and perused the paper-book.

As the petitioner is in custody since 30.08.2019, investigation in the matter is already over and co-accused of the petitioner has already been granted bail pending trial by this Court. 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 20, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No