

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

CRM-M-64791 of 2018
Date of Decision:14.01.2019

Jaswant Singh @ Raju

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.S. Kakkar, Advocate
for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case First Information Report No. 124 dated 01.08.2018, under Sections 379-B(2) and Section 34 of the Indian Penal Code registered at Police Station Dharamkot, District Moga.

It is contended by learned counsel for the petitioner that as per the allegation in the FIR the petitioner has snatched Rs. 8,00,000/- from the complainant, whereas during the investigation it was stated that amount in question was Rs.2,30,000/- and not Rs.8,00,000/-. He further contends that during investigation recovery of only Rs.8,000/- was effected from the petitioner and there is no other material to connect the petitioner with the commission of the alleged offence. Also submits that the petitioner is in custody since 18.08.2018 and there is no other criminal case pending against him.

Learned State counsel has filed the custody certificate of the petitioner in the Court today, the same is taken on record. Perusal of the custody certificate reveals that there is no other criminal case pending against the petitioner.

In view of the fact that the petitioner is in custody since 18.08.2018 and after completion of investigation challan has already been filed. Now the case is fixed for consideration of charges on 31.01.2019. The trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioner behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Jaswant Singh @ Raju be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

January 14, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no