

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

CRM-M-51370 of 2019

Date of Decision: 09.12.2019

Rahid Khan @ Rahi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mohd. Yousaf, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 439 Cr.P.C. seeking bail pending trial in case FIR No.64 dated 29.05.2019, under Sections 458, 324, 506, 148 & 149 of the Indian Penal Code (Sections 459, 325 & 201 of IPC were added later on) registered at Police Station Amargarh, District Sangrur.

Learned counsel for the petitioner contends that the petitioner is in custody since 09.07.2019 and during investigation no recovery has been effected from him. Also contends that his co-accused, namely Azam Khan @ Bhollu, has already been granted bail by this Court vide order dated 04.10.2019 passed in CRM-M-32422 of 2019. Further argued that allegations against the petitioner are similar to that of above co-accused and thus, treating the case on similar footing, he be released on bail. Also argued that after investigation in the matter report under Section 173 Cr.P.C. has been presented on 08.08.2019 and charges have also been framed on 05.09.2019 and

now the case is fixed for 13.12.2019 before learned trial Court.

The above factual position is duly acknowledged by learned State counsel on instructions from the police official.

Heard learned counsel for the parties and perused the paper book.

Concededly, the petitioner is in custody since 09.07.2019 and the co-accused namely, Azam Khan @ Bhollu has already been granted the concession of bail pending trial by this Court and there is no other criminal case pending against him. Thus, 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.

In view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner-Rahid Khan @ Rahi be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

December 09, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no