

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

CRM-M-53696 of 2019

Date of Decision: 19.12.2019

Rajwinder Singh @ Raju

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 439 seeking bail pending trial in case FIR No. 168 dated 02.12.2018, under Sections 379-B, 342, 482 & 411 of IPC and Section 25 of the Arms Act, 1959 registered at Police Station Jaitu, District Faridkot.

It is contended by learned counsel for the petitioner that neither the petitioner was named in the FIR; nor any recovery has been effected from him. He further contended that the petitioner is in custody since 06.12.2018 and there is no material available on record regarding the complicity of the petitioner in the present case. Also contends that out of total 29 prosecution witnesses, only 10 have been examined till date and there is no other criminal case pending against him.

The above factual position has been duly acknowledged by learned State counsel on instructions from ASI Rajesh Kumar except that the petitioner has been nominated on the basis of

disclosure statement under Section 161 Cr.P.C. of one Charanjit Singh, but fairly stated that he is not able to explain as to how said Charanjit Singh was introduced in this case by the police.

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

Since the investigation is already over in the matter and the petitioner is in custody since 06.12.2018 and there are total 29 prosecution witnesses, but only 10 have been examined till date. Thus, 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 allowed. Petitioner-Rajwinder Singh @ Raju be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

[MAHABIR SINGH SINDHU]
JUDGE

December 19, 2019
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no