

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

CRM-M No.54066 of 2018

Date of Decision: 25.02.2019

Harjit Singh alias Sunny

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Gurinder Singh Hayer, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. D.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to petitioner in case FIR No.130 dated 14.12.2017 registered under Sections 379-B, 411/34 IPC at Police Station Sadar Moga, District Moga.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the cases on the basis of disclosure statement made by co-accused in another case. The petitioner is in custody since 02.01.2018. The complainant has been examined in another case and he is on bail in other cases. Learned counsel also submits that the bail to the petitioner has been declined by the lower Court only on the ground that he is involved in number of cases.

Learned State counsel has filed custody certificate in the Court today and the same is taken on record.

Custody period as well as stage of trial have not been disputed by learned State counsel and also the fact that the petitioner is on bail in four cases and in one case, he has been acquitted. In custody certificate, it

has been mentioned that the petitioner is not on bail but he has verified the same from the copy of orders supplied by learned counsel for the petitioner that he has not furnished the bail bonds because of custody in the present case.

Heard the arguments of learned counsel for the parties and have also perused the contents of FIR as well as other documents available on the file.

Keeping in view the custody of the petitioner since 02.01.2018; the fact that only one witness has been examined, whereas, total 14 witnesses are there; he is on bail in four cases and in one case, he has been acquitted; the trial may take some time to conclude and no useful purpose would be served by keeping him behind bars, the present petition is allowed and petitioner, namely, Harjit Singh alias Sunny is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

However, it is made clear that in case, the petitioner is found to be involved in any other case of similar nature, the State is at liberty to move an application for cancellation of bail.

(DAYA CHAUDHARY)
JUDGE

25.02.2019
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No