

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

CRM-M No.44756 of 2019
Date of decision: 13th March, 2020

Mandeep Singh

... Petitioner

Versus

Punjab & Haryana High Court & another

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vijay Lath, Advocate for the petitioner.

Mr. Rajiv Vij, Addl. Public Prosecutor UT Chandigarh
for the respondents/State.

FATEH DEEP SINGH, J.

This is third regular bail application under Section 439 Cr.P.C. of the accused petitioner Mandeep Singh (the earlier two having been dismissed by this Court vide orders dated 26.10.2018 and 26.03.2019 respectively) in case bearing complaint No.93 Reg (Vig.) dated 18.09.2018 under Sections 193, 199, 209, 406, 494, 120-B IPC pending before the learned Chief Judicial Magistrate, Chandigarh as case No.1367/2018 dated 19.09.2018 titled as 'Punjab and Haryana High Court v. Mandeep Singh and Another'

The brief allegations are that the present petitioner and his wife Manjeet Kaur entered into wedlock out of which a child was born. The petitioner thereafter entered into wedlock with another girl against the wishes of family members depicting her to be a major and

misrepresenting, regarding which separate proceedings have been initiated.

Mr. Vijay Lath, learned counsel for the petitioner inter alia contends that all the offences are triable by first class Magistrate and that the petitioner is behind bars for more than one year, five months and twenty days, and thus undergone substantial incarceration.

Learned State counsel though does not displace the factual scenario but has opposed the bail on the grounds that the trial is underway and if allowed bail the petitioner might stifle the same.

Going through the submissions of the two sides, without advertent on the merits of the case, the fact that the petitioner has been hauled up for commission of offence under Sections 494, 120B, 209, 406, 199, 193 IPC and has already been behind bars for almost one and a half years and keeping in view the period of incarceration, this Court is of the view that it is a fit case to grant bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Chandigarh. However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 13, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No