

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

209

**CRM-M-49575-2019
Date of decision: 27.01.2020**

Amarjeet

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. L.S. Mann, Advocate for
Mr. G.P.S. Pathania, Advocate
for the petitioner.

Mr. Arun Kaundal, DAG, Punjab
for respondent No.1-State.

None for respondents No.2 to 4.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for short, "the Cr.P.C") for grant of anticipatory bail in Criminal Complaint Case No.29/2014 titled as 'Kulwant Singh Vs. Raj Kaur and others' under Sections 420, 465, 466, 467, 471 and 120-B read with Section 34 of the Indian Penal Code, 1860 (for short, "the IPC"), Police Station Division No.1, District Pathankot.

While issuing notice of motion on 22.11.2019, this Court had directed the petitioner to appear before the trial Court within ten days from the date of order and the trial Court was directed to release the petitioner on interim bail.

Learned State Counsel has appeared on behalf of the respondent No.1-State and opposed the bail application.

As per office report, notices issued to respondents No.2 to

4 have been received back with the report of refusal as power of attorney holder Kulwant Singh is in USA.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The petitioner was summoned vide order dated 16.09.2016 passed by Judicial Magistrate 1st Class, Pathankot to face trial under Sections 420, 465, 466, 467, 471 and 120-B read with Section 34 of the IPC. Trial is likely to take long time. Presence of the petitioner during trial can be secured otherwise also than only by detention in custody and his detention in custody will not serve any useful purpose.

In view of the facts and circumstances of the case, I am of the considered opinion that the petitioner deserves grant of anticipatory bail.

In view of the above discussion, the petition is allowed and order dated 22.11.2019 granting interim bail to the petitioner is made absolute. Anticipatory bail granted by this Court shall enure during trial of the case.

27.01.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No