

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

CRM-M-8524-2021 (O&M)

Date of decision: 02.03.2021

Harjit Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. K.S. Brar, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this third petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 84 dated 02.03.2020 registered under Sections 379-A, 379-B and 452 IPC, at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner states that the present FIR was lodged on the basis of the complaint made by Asha Rani. The petitioner was not named in the FIR and also no role was attributed to him. The complainant while appearing as PW-1, did not support the prosecution version and was accordingly declared hostile. The petitioner has been in custody for the last 10 months.

The custody certificate by way of affidavit dated 01.03.2021 of the Deputy Superintendent (M), Central Prison, Faridkot, submitted by the learned State, is taken on record. As per the custody certificate, no other case is pending against the petitioner.

Learned State counsel has not disputed the fact regarding the custody period of the petitioner and the factum of the complainant having been declared as hostile.

I have heard the learned counsel for the parties.

The petitioner has been in custody for the last 10 months. No other case is pending against the petitioner. Moreover, the complainant has been declared hostile

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on her/his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

02.03.2021
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No