

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M-11962-2021

Date of Decision:19.03.2021

Sarwan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. H.S. Batth, Advocate,
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.257 dated 04.11.2020 under Sections 420, 467, 468, 471, 120-B, 255, 256, 259, 260, 263-A IPC, registered at Police Station City Patti, District Tarn Taran.

Learned counsel for the petitioner submits that the petitioner is in custody since 04.11.2020. No recovery has been effected from the petitioner and recovery, if any of 35 seals of different Govt. officials, is effected from co-accused Arwan Singh, who happens to be brother of the present petitioner. He further submits that challan in the case has been presented, in this manner, trial is not likely to be concluded in the near future.

Learned State Counsel, on instructions from ASI Kashmir Singh, does not dispute the custody period of the petitioner. However, he submits that no recovery has been effected from the petitioner and he was apprehended from the place of occurrence from where the recovery was effected from co-accused Arwan Singh.

Heard learned counsel for the parties.

Petitioner is in custody since 04.11.2020. The offence is triable by the Magistrate. No recovery has been effected from the petitioner. Trial in the case is not likely to be concluded in the near future. Thus, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing of adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

March 19, 2021
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No