

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.19760 of 2021
Date of Decision: October 05, 2021

Piara Singh @ Bhaari

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Kamal Narula, Advocate,
for the petitioner.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.10 dated 10.02.2021, under Sections 379 and 411 IPC, 1860, registered at Police Station, Sadar Jalalabad, District Fazilka, who is in custody since his arrest on 10.02.2021.

As per the allegations in the FIR, on 10.02.2021, the police party received a secret information that Piara Singh @ Bhaari is habitual of stealing motorcycles from different villages and cities and further selling the same. Today, the accused is standing on the bridge of Canal Dhani Phoola Singh with stolen motorcycle Hero Splendor of black colour and if a raid is conducted, some other stolen motorcycles can also be recovered from him. Acting upon the said information, a raid was conducted and the accused was apprehended with stolen motorcycle. On these broad allegations, the present

FIR was registered.

Learned counsel for the petitioner has argued that the petitioner is in custody for a long period and the trial is likely to consume considerable time to conclude as the charges are yet to be framed, though the final report stands filed on 30.04.2021. He prays for bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Chander, on the ground that the petitioner is involved in three more cases under the Indian Penal Code. In this regard, he has produced the custody certificate of the petitioner by way of affidavit of Baljeet Singh, Additional Superintendent, Central Jail, Ferozepur.

After hearing the learned counsel for the parties, considering the above background and the custodial period of the petitioner, this court is of the opinion that the further custody of the petitioner behind the bars may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 10.02.2021. Further, the trial is yet to commence and it may take considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Fazilka.

October 05, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No