

105-A

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

CRM-M-27049-2021

Date of Decision: 09.12.2021

Jaswant Singh @ Kaka Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Madan Sandhu, Advocate,
for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition filed on behalf of the petitioner for regular bail under Section 439 Cr.P.C. in case FIR No.150, dated 27.12.2018, under Sections 420, 465, 467, 468, 471 and 120-B of the IPC, registered at Police Station City-I, Mansa, District Mansa.

2. From the custody certificate of the petitioner already on record, it would appear that he has remained in detention for a period of more than two years and five months, since 23.06.2019.

3. Ld. Counsel for the petitioner submits that the trial has been held up in view of the fact that now prosecution side has moved an application under Section 319 of the Cr.P.C. for summoning some other accused persons. A copy of the relevant order passed by Ld. Chief Judicial Magistrate, Mansa, on 01.09.2021, is tendered by Ld. Counsel for the petitioner in connected case, being CRM-M-39092-2020.

4. In the circumstances, it is clear that trial in the case is not likely to end anytime soon, because in the event of the application filed under Section 319 of the Cr.P.C. being allowed, the trial shall commence *de novo* against the additional accused persons so sought to be summoned.

5. In view of the above, without commenting any further on merits of the present case as a whole and considering the long detention undergone by the petitioner so far, this Court is of the opinion that no useful purpose would be served by keeping him in detention for an indefinite period of time. Therefore, his prayer for regular bail is allowed and he is ordered to be released on bail, subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Disposed off.

09.12.2021*Apurva***(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No