

203-2

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

CRM-M-34665-2020(O&M)

Date of decision : 08.09.2021

Jaswant Singh @ Raja

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Sandeep Vermani, Addl. AG Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.145 dated 06.09.2020 under Sections 489-A, 489-B, 489-C of the Indian Penal Code, 1860, registered at Police Station Jaito, District Faridkot (Punjab).

Learned counsel for the petitioner would contend that the charges have now been framed. Learned counsel for the petitioner would further contend that the trial is not progressing and the petitioner has been in custody since 06.09.2020.

Learned counsel for the State on instructions from ASI Sukhwinder Singh has stated that though charges have been framed, but out of 16 prosecution witnesses none has been examined till date and no recovery is yet to be effected from the petitioner.

Heard learned counsel for the parties.

The petitioner has been in custody for over a year and the trial is not progressing. Out of the 16 prosecution witnesses none have been examined so far. In view of the same and without commenting upon the merits of the case and also considering the fact that the trial is likely to take some time to conclude, I deem this to be a fit case for grant of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

08.09.2021
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO