

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

219

CRM-M-18040 of 2023

Date of Decision:24.07.2023

Mohan Lal

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Manoj R. Sharma, Advocate,
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.120 dated 16.10.2019, under Section 420 IPC, registered at Police Station Division No.2, Pathankot, District Pathankot.

2. It is submitted by learned counsel for the petitioner that in the present case the petitioner is in custody for about ten months and the investigation of the case has already been completed and thereafter the report under Section 173 of the Code of Criminal Procedure has been presented to the competent Court. He submitted that it is a case which is triable by a Magistrate and the petitioner has been falsely implicated in the present case because he was earlier involved in two more cases. He submitted that the trial of the case may take long time, therefore

petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Sarabjit Singh Cheema, learned DAG, Punjab has stated that it is correct that the petitioner has already faced incarceration for about ten months and after the completion of the investigation, *challan* has been presented to the competent Court. He has however opposed the grant of bail to the petitioner on the ground that he is involved in two more cases.

4. I have heard learned counsel for the parties.

5. It is a case where the petitioner has already faced incarceration for about ten months and the present is a case which is triable by a Magistrate and the investigation of the case has already been completed. The mere fact that the petitioner was earlier involved in two more cases would not disentitle the petitioner for grant of regular bail. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

6. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of the present petition.

(JASGURPREET SINGH PURI)
JUDGE

July 24, 2023

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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No