

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

Cr.M.No.M-10427 of 2015 (O&M)
DATE OF DECISION : 10.4.2015

Geeta Singh alias Gurmit Singh

PETITIONER

VERSUS

State of Punjab

RESPONDENT

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

1. Whether reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present:- Ms.Divya Jerath, Advocate for the petitioner.

Shri Deepak Garg, A.A.G. Punjab.

MAHESH GROVER, J.

This is a petition filed under section 439 Cr.P.C. with a prayer for release of the petitioner on bail in a case registered vide F.I.R. No.5 dated 3.2.2013 registered under Sections 302,148,149 I.P.C. at Police Station Kot Dharmu, District Mansa.

The allegations against the petitioner are that he along with several other persons had gone to the house of the deceased at 9 p.m. and caused injuries

leading to the death of the deceased. The petitioner was armed with a Dang and has been attributed injury on the leg. The fatal blow has not been attributed to him.

It is contended by the learned counsel for the petitioner that the petitioner has been in custody since 3.2.2013 and the complainant even though having been examined, has been keeping away from the trial thereby obstructing his cross-examination so much so that bailable warrants have been issued to procure his presence. It is further contended that evidently the complainant is interested in delaying the trial.

The aforesaid facts have not been controverted by the learned counsel for the State.

On due consideration of the matter, I deem it appropriate to allow the petition and release the petitioner on bail in terms of Section 439 Cr.P.C. keeping in view the fact that the fatal injuries have not been attributed to the petitioner and he is in custody since February, 2013 with some of the delay attributed to the complainant himself. Bail to the satisfaction of the trial Court.

April 10, 2015
GD

(MAHESH GROVER)
JUDGE