

In the High Court of Punjab and Haryana at Chandigarh

PARAMJIT KAUR SAINI
2015.02.13 16:19
I attest to the accuracy and
authenticity of this document

CRM-M-13971 of 2014(O&M)

Date of Decision: 13.02.2015

Karamjit Singh @ Babbu

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. SPS Sidhu, Advocate
for the petitioner

Mr. Gazi Mohammad, DAG, Punjab
for the respondent-State

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

The present petition under Section 439 of the Code of Criminal Procedure has been filed by Karamjit Singh @ Babbu, an accused facing trial pertaining to FIR No. 179 dated 21.11.2013 registered at Police Station, Sadar Kotkapura, District Faridkot for offence punishable under Sections 363, 364-A, 389, 342, 120-B of the Indian Penal Code (in short "IPC").

Counsel for the petitioner has submitted that the petitioner is in custody since November 2013 and conclusion of trial is likely to take its own time. The alleged kidnapped person Gurbhej Singh has already been examined but he has not pointed an accusing finger towards the petitioner. It is further submitted that the petitioner is ready to face proceedings in

accordance with law.

Counsel for the State of Punjab, on instructions from ASI Gurpreet Singh, has conceded to the fact that Gurbhej Singh has been examined but he has expressed his inability to say something in regard to contents of his statement. However, it has transpired that out of 12 witnesses cited by the prosecution only 03 witnesses have been examined till date.

I have heard counsel for the parties and perused the records.

The petitioner is in custody for the past more than one year, conclusion of trial is likely to take its own time and there is no allegation against the petitioner that he is likely to flee from the process of justice in case, enlarged on bail.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner on his furnishing bail bonds to satisfaction of the trial court. However, the petitioner shall abide by the following conditions:-

- (i) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) he shall not leave India without previous permission of the Court.

(REKHA MITTAL)
JUDGE

13.02.2015
PARAMJIT