

204-3

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

CRM-M-14870-2015

Date of decision: 24.08.2015

Jodha Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. S.S. Gill, Advocate
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

Ms. G.K. Mann, Advocate
for the complainant.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.261 dated 12.12.2014 under Sections 302, 307, 452, 324, 427, 148, 149 IPC and Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Lopoke, District Amritsar.

Learned counsel for the petitioner submits that petitioner was not named in the FIR. Once the petitioner was not named in the FIR, there was no scope of levelling any allegation against him. However, he has been implicated later on. He further submits that since the prosecution evidence has just started, conclusion of trial will take long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from SI Tajinder Singh, Police Station Lopoke, District Amritsar, submits that challan has already been presented and the charge has also been framed.

One PW has already been examined, thus, there is no delay in the trial and it will conclude within a reasonable time. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has been found entitled for bail pending trial. It is so said because petitioner was not named in the FIR. Learned counsel for the petitioner has also been found justified in contending that since the prosecution evidence has just started, conclusion of trial will also take some time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, present petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

24.08.2015
vishnu