

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

(213)

CRM-M-18203-2015

Decided on: August 18, 2015.

Sukhdarshan Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Anupreet S. Sidhu, Advocate,
for the petitioner.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

This is 4th application for grant of regular bail earlier having been decided on merits.

Learned counsel for the petitioner has inter alia argued that on account of delay being caused in disposal of the trial, the petitioner, being in custody for last many years, should be given concession of bail.

On asking of the Court, on instructions from ASI Malkiat Singh, it has been informed that entire prosecution evidence has been produced and that the case is at the stage of recording of statement under Section 313 Cr.P.C.

Taking into consideration the fact that the entire evidence of the prosecution has been produced, the application cannot be decided without making a reference to the statement of the witnesses.

Taking into consideration that the trial is at penultimate stage, expression of opinion on merits might prejudice the right of the petitioner or

the prosecution agency, this petition is liable to be dismissed without prejudice to the right of the petitioner to seek acquittal on the pleas taken up in this petition at the final stage.

In view of the fact that the case is at the stage of recording of statement under Section 313 Cr.P.C, counsel for the petitioner seeks permission to withdraw the petition.

Disposed of as withdrawn.

(M.M.S. BEDI)
JUDGE

August 18, 2015
harsha