

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-23106 of 2015(O&M)
Date of decision : September 07, 2015

Manoj Surain

..... Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

1. Whether Reporters of the local papers 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: Mr. A.S. Khinda, Advocate
for the petitioner

Mr. V.P.S. Sidhu, AAG Punjab

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 258 dated 29.11.2012 registered at Police Station Sultanpur Lodhi, District Kapurthala under Section 302/34 IPC.

Heard.

The petitioner had been arrested in the present FIR on the basis of extra judicial confession made by him before Jassa Singh. The case of the prosecution is based on the circumstantial evidence. The allegations are that the petitioner had committed the murder of Tallu Soren. One Dalip Maria is a witness of last seen.

The challan had been present against the petitioner. The prosecution has examined 9 witnesses, 4 witnesses have been given up. Dalip Maria is yet to be examined.

Learned counsel for the petitioner contends that Dalip Maria could not be found and the case is being adjourned and the petitioner is in custody since December 2012 and bail may be allowed as the trial would take time.

Learned State counsel urges that there are serious allegations against the petitioner and Dalip Maria is an important witness and they are making attempts to find the witness as he had left for Bihar without leaving any address.

The petitioner is in custody since 06.12.2012. The allegations against the petitioner are serious, no ground for bail is made out.

The petition is dismissed.

The prosecution is taking time to complete its evidence. It appears that the prosecution is unable to get service effected on Dalip Maria who is a crucial witness in the prosecution, therefore, the trial Court is directed to conclude the trial within 5 months from the next date fixed in the trial.

September 07, 2015

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**(ANITA CHAUDHRY)
JUDGE**