

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

CRM No.M-28961 of 2015

Date of decision: 01.10.2015

Lovepreet Singh @ Labha @ Baljit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. L.S. Lakhanpal, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.60, dated 07.09.2014, registered under Sections 323, 324, 307 and 34 of the Indian Penal Code (for short 'IPC'), at Police Station Purana Shalla, District Gurdaspur.

It is contended that the material witnesses i.e. complainant and eye witness stand examined. Earlier the FIR was registered under Sections 323, 324 and 34 IPC, however, on the basis of MLR, Section 307 IPC has been added subsequently. The petitioner is in custody since 17.04.2015. The co-accused Amrik Singh, has already been admitted to bail by the trial Court.

On the other hand, the learned State counsel opposes the

prayer of bail and states that the petitioner has given a grievous injury on the vital part of the injured. The challan stands presented, out of total 18 witnesses, only 02 witnesses have been examined.

I have heard learned counsel for the parties and perused the record.

Keeping in view the fact that the petitioner is in custody since 17.04.2015, the complainant and the eye witness have been examined, the co-accused of the petitioner Amrik Singh has already been enlarged on bail by the trial Court, out of total 18 witnesses, only 02 witnesses have been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

01.10.2015

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(JITENDRA CHAUHAN)
JUDGE