

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

Crl. Misc. No.M-30571 of 2014

Date of Decision: 16.02.2015

Rajinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. J.S. Dhaliwal, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab
for the respondent-State.

None for the complainant.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.130 dated 07.11.2011 under Sections 302/427/148/149 IPC read with Section 25 of the Arms Act registered at Police Station Makhu, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case at the instance of complainant. He further submits that the petitioner was arrested in the case on 13.11.2011 and the other accused have been granted regular bail. All material witnesses have been examined except two formal witnesses, who have also been examined in chief.

The case has earlier been adjourned for recording the statements of two formal witnesses but still after granting opportunity, they

have not been cross examined.

Learned counsel for the petitioner also submits that the petitioner undertakes to abide by all terms and conditions to be imposed by this Court or by the trial Court and no useful purpose would be served by keeping the petitioner in custody as he is in custody for the last more than three years and three months.

Learned State counsel has not disputed the custody period as well as stage of trial.

In view of the submissions made by learned counsel for the petitioner and taking into consideration the custody period of the petitioner, which is more than three years and three months; also the fact that all material witnesses have been examined and the case was adjourned on earlier date for examination of two witnesses, whereas, both witnesses were examined in chief only but could not be cross-examined, the present petition is allowed and the petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court or any other terms and conditions to be imposed by it.

16.02.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE