

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-30593 of 2015

Date of Decision: October 06, 2015

Baljinder Singh @ Kinda

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.V.S.Mahal, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.49 dated 27.03.2014 under Sections 307, 148, 149, 427 and 120-B IPC and Section 25 of the Arms Act (challan presented under Sections 307, 427, 120-B IPC and Section 25 of the Arms Act), registered at Police Station City Sunam, District Sangrur.

Notice of motion.

Mr.B.S.Bhullar, Asstt. Advocate General, Punjab, who is present in the Court, accepts notice on behalf of respondent-State and contests the petition.

Police record is also available.

I have heard learned counsel for the petitioner as well as

learned State counsel and have gone through the record.

The present petitioner is in custody since 07.05.2014 and as per learned State counsel, statements of only two witnesses have been recorded so far. It has been brought to my notice that injured in this case has already been declared proclaimed offender in another case and is not available for producing him as a witness before the trial Court.

As the petitioner is in custody since 07.05.2014 and the trial is going on, he is not required for any investigation purposes except to face trial. As the injured who is main witness has already been declared proclaimed offender in another proceedings and his presence cannot be procured easily, therefore, the trial of this case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Otherwise also, earlier in the FIR, names of other persons were mentioned but later on name of present petitioner along with other persons came into light as per supplementary statement.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with two sureties in the like amount to the satisfaction of the trial Court/Duty Magistrate.

October 06, 2015
Vgulati

(INDERJIT SINGH)
JUDGE