

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

CRM No.M-32596 of 2015

Date of decision: 01.10.2015

Vivek Kumar @ Honey Verma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Gurcharan Dass, 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.110, dated 20.07.2014, registered under Sections 307, 452 and 34 of the Indian Penal Code (for short 'IPC') (Sections 323, 325, 459 IPC later on added at the time of framing of charge), at Police Station Division No.4, Ludhiana.

The learned counsel for the petitioner refers to Annexure P-6, the application moved by the prosecution for discharge of the petitioner which was not accepted by the competent Court. The co-accused of the petitioner, namely Raj Kumar @ Raju Billa, has already been admitted to bail by this Court. The petitioner is in custody since 21.07.2014.

On the other hand, the learned State counsel opposes the prayer of bail and states that the injury given by the petitioner to injured Akhtar is grievous in nature, however as per the testimony of injured-witness, this injury is not attributed to the petitioner. The challan stands presented, out of total 12 witnesses, 05 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 21.07.2014, the co-accused of the petitioner, namely Raju @ Raju Billa has already been enlarged on bail by this Court and out of total 12 witnesses, only 05 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