

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-33518 of 2015

Date of Decision: October 08, 2015

Ajaib Khan

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Nandan Jindal, 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, and 427 IPC and Section 25 of the Arms Act, registered at Police Station City Sunam, District Sangrur.

Notice of motion.

Ms.Simsi Dhir Malhotra, Deputy 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 08.05.2014. At the time of occurrence, the petitioner was in jail and only allegation of

conspiracy is levelled against him. Furthermore, the injured, who is main witness, is stated to have been declared proclaimed offender in another proceedings and his presence for giving evidence cannot be procured in the near future.

As the petitioner is in custody since 08.05.2014 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.

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 one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

October 08, 2015
Vgulati

(INDERJIT SINGH)
JUDGE