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

**CRM-M No.34318-2015
Date of decision:30.11.2015.**

Dara Singh

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present:- Mr. Narinder Singh, Advocate,
for the Petitioner.

Ms. H.K.Athwal, DAG, Punjab.

M.M.S.BEDI, J.(Oral)

The petitioner has been in custody with effect from 20.05.2013 in a case registered at the instance of Dharamjit Singh, alleging that the petitioner along with other co-accused had attacked the brothers of the complainant, Beant Singh and Harbhagh Singh.

The earlier application for regular bail filed by the petitioner had been disposed of by this Court on 14.12.2014 with a direction that the trial Court shall take effective steps to record the statements of the injured witnesses within a period of three months, after the next date fixed before the trial Court. It was ordered that in case, statements of witnesses are not recorded within the said period, it would be open to the petitioner to approach this Court again.

Another application filed by the petitioner was disposed of

on 06.05.2014, as withdrawn with liberty to file fresh petition after statement of Dharamjit Singh-complainant (injured), is recorded. It was ordered that in case his statement is not recorded within three months, in that eventuality also, it would be open to the petitioner to file fresh petition.

Statement of Dharamjit Singh has already been recorded. The medical evidence has also been produced. It appears that on account of an application under Section 319 Cr.P.C. having been allowed, the trial Court would be required to re-record the statements of the witnesses. Statement of PW-6 Dr. Gaurav Sharma has been recorded which is indicative of the casual approach, in which the injury with the blunt weapon has been stated to be dangerous to life.

Taking into consideration the period of detention of the petitioner which is more than 2 ½ years and in view of material witnesses having already been examined and the petitioner having not been in any manner able to tamper with the evidence, I deem it appropriate to grant the concession of bail to the petitioner.

The petition is allowed.

The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

30.11.2015*Sunil Devi***(M.M.S.BEDI)
JUDGE**