

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

CRM No.M-37210 of 2015

Date of decision: 06.11.2015

Siddh Bahadur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Arpan Sabharwal, 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.62, dated 05.07.2014, registered under Sections 382, 381, 328, 395, 120-B IPC, at Police Station Haibowal, Ludhiana.

It is contended that the similarly situated co-accused of the petitioner, namely Amar Bahadur and Amit Bahadur have already been granted the concession of bail by this Court, vide order dated 18.09.2015. The learned counsel refers to the cross examination of Ram Badan @ Ramu and states that the eye witness has not identified the petitioner. The petitioner is in custody since 08.07.2014.

On the other hand, the learned State counsel opposes the

prayer of bail and states that the petitioner had actively participated in the crime. One pistol and six live cartridges were recovered from him. The challan stands presented, out of total 15 witnesses, 05 witnesses have been examined.

I have heard learned counsel for the parties and perused the record.

Keeping in view the fact that similarly situated co-accused of the petitioner, namely Amar Bahadur and Amit Bahadur have already been enlarged on bail and the fact that the petitioner is not identified by the eye witness Ram Badan; out of total 15 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.

06.11.2015

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(JITENDRA CHAUHAN)
JUDGE