

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

CRM-M-37937-2015

Date of decision: 21.12.2015

Jaswinder Singh @ Gora

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. A.S. Sekhon, Advocate
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.59 dated 11.10.2014 under Sections 307, 34 IPC and Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Bariwala, District Muktsar.

Learned counsel for the petitioner submits that all other co-accused of the petitioner are already on bail. Petitioner is inside the jail for the last about about 11 months. Since the prosecution evidence is going on, conclusion of trial will take very pretty long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Iqbal Singh, Police Station Bariwala, Muktsar, submits that since the petitioner was the main accused who caused firearm injury to the injured, he is not entitled for bail pending trial, at this stage. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that keeping in view the totality of facts and circumstances of the case noticed hereinabove, petitioner has been found entitled for bail pending trial. It is so said because petitioner is inside the jail for the last about 11 months. Learned counsel for the petitioner has been found justified in contending that since the prosecution evidence is still going on, conclusion of trial will take some time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

21.12.2015
vishnu