

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

CRM-M-40867-2014 of (O&M)

Date of decision : 15.01.2015

Buta Singh @ Jaswinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Arun Abrol, Advocate,
for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab,
assisted by ASI Malkit Singh.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.17 dated 27.02.2012, registered under Sections 307, 120-B of the Indian Penal Code, and Sections 25, 27 of the Arms Act, at Police Station Nihalsinghwala, District Moga.

The learned counsel, inter alia, contends that the petitioner is not named in the FIR. Even if the prosecution version is taken to be true, no case under Section 307 IPC is made out. There is no report of the doctor stating the injury as dangerous to life. The injury attributed

to the petitioner is on the leg, i.e. on the non-vital part. The petitioner is in custody since 06.08.2012. The trial is not progressing as the prosecution has moved one application under Section 319 of the Code of Criminal Procedure for summoning the co-accused.

On the other hand, the learned State counsel, on instructions, submits that the trial is at the fag end as out of nineteen prosecution witnesses, only four remain to be examined and they have been bound down for 16.01.2015.

Heard.

The earlier three petitions for grant of bail moved by the petitioner were dismissed by this Court. This is the fourth bail petition. There are no fresh circumstances in favour of the petitioner for allowing the petition. Only four prosecution witnesses remain to be examined, who have been summoned for 16.01.2015. Thus, the trial is at the fag end.

In the circumstances, no case for grant of bail is made out, at this stage.

Dismissed.

15.01.2015
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(JITENDRA CHAUHAN)
JUDGE

Note : Whether to be referred to reporter ? Yes / No