

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

CRM No.M-41759 of 2015

Date of decision: 17.12.2015

Naib Singh @ Gurnaib Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. JPS Brar, 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.73, dated 30.05.2015, registered under Sections 323, 324, 307, 325 and 34 of IPC, at Police Station Raman, District Bathinda.

It is contended that the only simple injury has been attributed to the petitioner. The grievous injury has been attributed to co-accused Harnek Singh. At the time of withdrawal of the first bail petition filed on behalf of the petitioner, the charges were not framed and vide order dated 18.11.2015, the charges have been framed, however no PW has been examined so far. The petitioner is in custody since 11.07.2015, as per custody certificate.

On the other hand, the learned State counsel opposes the prayer of bail.

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

Considering the fact that only simple injury has been attributed to the petitioner and the fact that the petitioner is in custody since 11.07.2015; the trial is yet to commence, 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.

17.12.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE