

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

CRM -M-22460 of 2016 (O&M)

Date of decision: 06.10.2016

Makhan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Rai, 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 FIR No. 36 dated 23.06.2014, registered under Sections 120-B, 302 read with Section 34 of IPC and Section 25 of Arms Act, at Police Station Mattewal, Amritsar Rural, Tehsil and District Amritsar.

It is contended that the petitioner has been falsely implicated in the instant case on the basis of extra judicial confession of one Jagir Singh son of Bhan Singh. The FIR is based on circumstantial evidence. The petitioner is in custody since 01.09.2015.

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 the petitioner is not named in the FIR; he is in custody since 01.09.2015; out of total 34 PWs, only 02 PWs have been examined so far, therefore, it can be safely inferred that the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of 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.

06.10.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No