

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

CRM No.M-23830 of 2016 (O&M)

Date of decision: 04.11.2016

Himmat Ram

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ranjivan Singh, Advocate for the petitioner.

Mr. R.S. Nain, AAG, Punjab.

Mr. Vipul Dharmani, Advocate for the complainant.

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. 109 dated 27.08.2015, registered under Sections 279 and 304-A of IPC (subsequently converted into Section 302 read with Section 34 IPC), at Police Station Shri Anandpur Sahib, District Rupnagar.

It is contended that the incident in the present FIR took place on 26/27.08.2015, however, the complaint was filed on 11.09.2015. Only one injury was found on the person of the deceased. There are no allegations against the petitioner in the first complaint. Initially the FIR was registered under Sections 279 and

304-A of IPC which was subsequently converted into Section 302 read with Section 34 IPC to enhance the gravity of the offence. The petitioner is in custody since 30.04.2016.

On the other hand, learned State counsel opposes the bail application.

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

Considering the fact that the petitioner is in custody since 30.04.2016; the challan stands presented; charges have been framed; 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.

04.11.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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