

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

CRM-M No. 28323 of 2016

Date of decision : November 08, 2016

Ranjit Singh

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. HS Rakhra, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Mr. PS Ahluwalia, Advocate
for the complainant.

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.90, dated 13.7.2015, registered under Sections 307, 148, 149 of the IPC and Sections 25, 27, 54, 59 of the Arms Act, at Police Station Bullowal, District Hoshiarpur.

On 21.9.2016, the following order was passed :-

“ Learned counsel for the petitioner has argued that

the petitioner is in custody for the last more than one year and three months.

On the other hand, learned State counsel as well as learned counsel for complainant have argued that the previous bail application of the petitioner was rejected with the specific observation that the material witnesses had not yet been examined and nothing has stayed.

Learned counsel for the petitioner has countered while arguing that after getting the order, complainant filed a completely misplaced application under Section 319 Cr.P.C. only for the purpose of delaying the trial and keeping the sword on the head of the petitioner.

Learned counsel for the complainant has argued that actually after the previous bail application of the petitioner was rejected, the petitioner side filed a false FIR against the complainant but fortunately, the complainant had been granted anticipatory bail therein and he will now undertake to appear before the learned trial Court and give his testimony on the next date of hearing which is stated to be 30.09.2016.

Adjourned to 04.10.2016.”

Thereafter, on 4.10.2016, the following order was passed:-

“ As per the last order, the complainant appeared but could not be examined. The matter is now stated to be fixed for 24.10.2016. Counsel for the complainant undertakes to be present even on that date.

Adjourned to 8.11.2016.”

Today, it is admitted that the complainant has been examined.

Counsel for the petitioner, on the strength of the previous orders, claims that now the complainant has been examined and since

the petitioner has now been in custody for 1½ year he should be granted

bail.

Counsel for the complainant, on the other hand, points out that two material eye witnesses remain to be examined.

Be that as it may, without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

November 08, 2016
`kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No