

CRM-M-29922-2015 (O&M)

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

**CRM-M-29922-2015 (O&M).
Decided on: January 15, 2016.**

Sarwan Singh

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.C.L.Pawar, Advocate,
for the petitioner.**

Mr.Jashanpreet Singh, DAG., Punjab.

**Mr.Vikas Gupta, Advocate,
for the complainant.**

M.M.S. BEDI, J (ORAL).

Counsel for the petitioner has submitted that as per order dated 30.1.2015, while dismissing the first application for bail filed by the petitioner it was observed that in case the trial is not concluded within a period of six months, it will be open to the petitioner to approach this Court again.

I have heard the learned counsel for the petitioner who has vehemently contended that the allegation against the petitioner as per the story of the prosecution is that he allegedly fired shot from his gun from a close range hitting Sukhraj Singh. It is also submitted that there is a contradiction in the statement of Tejvir Singh

while appearing as PW.3 and that of his father Dalbir Singh.

Counsel for the petitioner also submits that as per enquiry conducted, the petitioner has allegedly fired in the air.

I have considered the contention of the counsel for the petitioner and gone through the statement made on oath. The deceased is alleged to have died on account of gun shot injury received at the hands of petitioner fired from a close range. Statements of Ranbir Singh and Sarwan Singh regarding firing of shot has already been recorded. Contradictions regarding said injury so received by the deceased on the back area on the waist will not be of any significance, at this stage, as the Court cannot go into the niceties of the trial to grant the benefit of doubt as claimed by the petitioner.

In view of the role attributed to the petitioner, I do not find any ground to grant the concession of bail to the petitioner. It will also not be appropriate to express any opinion regarding any enquiry having been conducted regarding the conduct of the petitioner. The petition is dismissed. However, the trial Court is directed to conclude the trial within a period of six months after the next date of hearing.

January 15, 2016.
rka

(M.M.S. BEDI)
JUDGE