

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32629-2016

Date of decision: October 21, 2016.

Surjit Singh

... **Petitioner**

v.

Central Bureau of Investigation

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri P.S. Ahluwalia, Advocate for the petitioner.

Shri Sumeet Goel, Advocate for the respondent.

A.B. Chaudhari, J. (Oral):

Heard learned Counsel for the rival parties.

This is a petition for grant of bail in a trial which has already commenced and number of witnesses have been examined. Learned counsel for the CBI contended that on 24.10.2016, some material witnesses will also be examined.

According to Learned Counsel for the petitioner, the role attributed to the petitioner is that he had come on a motorcycle with Jitender Mohan alias Kukoo Pardhan and Charan Dass and started abusing the father of the complainant and thereafter Jitender Mohan, who was armed with a pistol, fired from his pistol twice and one bullet hit his father in the stomach. The petitioner had caught hold of his father, pushed him while abusing him. According to him, therefore, it is highly debatable whether with the aid of Section 34 IPC, the petitioner would in fact be roped in.

Therefore, the petitioner is entitled to grant of bail.

Per contra, learned counsel for the CBI opposed the bail application and submitted that bail should not be granted because the material witnesses will be examined on 24.10.2016.

Having heard Learned Counsel for the rival parties, in my opinion since the trial is already on, it would not be appropriate to discuss the evidence about which mention was made by the counsel for the rival parties since the assessment of evidence should be left to the trial court which is conducting the trial. In that view of the matter, I am not inclined to grant bail and rather would direct the court to complete the trial as expeditiously as possible. The petition is therefore dismissed.

[A.B. Chaudhari]
Judge

October 21 , 2016.
kadyan

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No