

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

CRM -M-32693 of 2016 (O&M)

Date of decision: 17.10.2016

Baljinder Singh @ Wadda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. GBS Dhillon, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Manjinder Singh.

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. 219 dated 27.08.2015, registered under Sections 307, 506, 148 read with Section 149 of IPC and Sections 25 & 27 of Arms Act, at Police Station Sultanwind, Amritsar.

It is contended that the petitioner is neither named in the FIR nor any injury has been attributed to him. The only allegation against the petitioner is that the weapon used in the crime was owned by him. He further states that even discharge application in the present FIR was prepared and filed by the investigating agency. The petitioner has been falsely implicated in other 04 FIRs, wherein also,

the discharge application(s) have been moved by the police. The petitioner is in custody since 09.11.2015.

On the other hand, the learned State counsel opposes the bail application and states that the petitioner allegedly handed over the gun owned by his brother used in the crime to co-accused Kuldeep Singh @ Judge. The challan stands presented; charges have been framed. Out of total 28 PWs, no one has been examined so far.

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

Considering the fact that the petitioner in custody since 09.11.2015; out of total 28 PWs, none has 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.

17.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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