

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

CRM-M-35609-2016 (O&M)
Date of decision : 07.11.2016

Surjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. H.S. Dhindsa, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Shinder Pal.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.13 dated 24.02.2016, registered under Sections 307, 323, 341, 336 and 148 read with Section 149 of the Indian Penal Code, at P.S. Kathgarh, Distt. SBS Nagar.

Contents that as per the FIR, the petitioner has been attributed iron rod blow on the person of Gurwinder Singh, whereas, in the testimony of the complainant, it has come that the petitioner allegedly caused injury to Gurpreet Singh, and therefore, the version recorded in the FIR has become disputed. The petitioner is in custody since 20.03.2016.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel, states that the injury attributed to the petitioner has been declared as dangerous to life. She further informs that the trial is in progress and out of 25 prosecution witnesses, 13 have already been examined.

Heard.

This is the second bail petition filed by the petitioner. The petitioner is behind the bars since 20.03.2016. Out of 25 prosecution witnesses, only 13 have been examined so far, therefore, it can safely be inferred that the conclusion of the trial may take considerable time. The complainant stands already examined. As such, no useful purpose would be served by keeping the petitioner in custody.

Keeping in view the above and without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

07.11.2016
atulsethi

(JITENDRA CHAUHAN)
JUDGE

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