

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

**Crl. Misc. No.M-35891 of 2016 (O&M)
Date of decision : 16.12.2016**

Arjan Bahadur

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Himanshu Puri, Advocate
for the petitioner.

Mr. VPS Sidhu, AAG, Punjab

ANITA CHAUDHRY, J.

CRM-38962-2016

For the reasons set out in the application, same is allowed as prayed for and accompanying document Annexure P-3 (Colly) is allowed to be taken on record.

Crl. Misc. No.M-35891 of 2016

The petitioner is seeking regular bail in FIR No.28 dated 09.03.2015, registered under Section 304-B IPC, Police Station Sultanpur Lodhi, District Kapurthala.

The petitioner is in custody since March, 2015 and charge was framed in November, 2015. Zimni orders have been placed on record, which show that Dhan Bahadur and Deepak Bahadur were not appearing and theirailable warrants were issued. The Special Court is adjourning the matter

and is giving short dates but the witnesses are not being examined as each time it is being stated that witnesses are not feeling well.

The Court should not have given short dates if the witnesses are not well. Their presence is being recorded continuously from 15.09.2016 up to 17.11.2016. The case had been adjourned five times and the same reason is reflected in the zimni orders. The witnesses should not be summoned to the Court again and again. The trial is getting delayed. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate.

16.12.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No