

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

**Criminal Misc. No. M-39575 of 2016
Date of Decision:-01.12.2016**

Karam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. A.G.S. Dhillon, Advocate
for the petitioner.

Mr. Sultan Singh Gill, Deputy A.G., Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.0053 dated 22.3.2016, under Sections 307, 382, 365 and 120-B IPC, registered at Police Station Civil Lines, District Patiala.

Learned counsel for the petitioner refers to the cross-examination of complainant Krishan Kumar and on the strength of his cross-examination he states that the complainant has stated that he has seen the petitioner for the first time in Court, therefore, the presence of the petitioner at the scene of occurrence is doubted. Furthermore, the co-accused, namely, Bhavneet Kaur, who is wife of the petitioner, against whom there are similar allegations has been admitted on bail by this Court vide order dated 8.7.2016 in CRM-M-21983 of 2016 titled 'Bhavneet Kaur

vs. State of Punjab'. He further states that the petitioner is in custody since 31.3.2016. The trial in the case will take long time as only 5 prosecution witnesses have been examined against the total 15 witnesses cited by the prosecution.

Learned State counsel on instructions from SI Guriqbal Singh does not dispute the fact that co-accused Bhavneet Kaur, who is wife of the petitioner has been released on bail by this Court and the petitioner is in custody since 31.3.2016. He also does not dispute the fact that out of total 15 witnesses, the prosecution has examined only 5 witnesses.

I have heard learned counsel for the parties.

In the cross-examination the complainant Krishan Kumar stated that he has seen the petitioner-accused for the first time in Court. Further, the co-accused, namely Bhavneet Kaur has already been admitted on bail by this court and as against the total 15 witnesses cited by the prosecution, only 5 witnesses have been examined, therefore, the trial will take long time.

Accordingly, the petition is **accepted**. The petitioner is admitted on regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Patiala.

December 01, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No