

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

CRM No.M-39978-2016 (O&M)

Date of decision: 18.11.2016

GURDEEP SINGH

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Abhijeet P.S. Chaudhary, Advocate
for the petitioner (s).

Mr. Mehardeep Singh, Addl. A.G., Punjab
assisted by ASI Karamjit Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner(s) has sought regular bail in case FIR No.132 dated 25.09.2015, registered under Sections 306 and 506 of the Indian Penal Code (for short 'the IPC'), at Police Station Raikot, Distt. Ludhiana (Rural).

The learned counsel for the petitioner states that the bail petition (Annexure P7) earlier preferred by the petitioner was dismissed on the statement of the learned State counsel to the extent that out of 18 prosecution witnesses, 17 prosecution witnesses had been examined. However, the statement made by the learned State counsel was against the record, in fact only 6 prosecution witnesses have been examined so far. This

factual aspect of the matter, on instructions, is not being disputed by the learned State counsel. The petitioner is in custody since 25.09.2015. The learned counsel for the petitioner further submits that the complainant has not supported the case of the prosecution.

Heard.

Considering the facts that the petitioner is in custody since 25.09.2015; complainant has not supported the case of the prosecution; and out of 18 prosecution witnesses, only 6 prosecution witnesses have been examined so far, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioner behind the bars, 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.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

18.11.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No