

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

CRM-M-41655 of 2016 (O&M)

Date of decision: 02.12.2016

Joginder Singh @ Kartar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Deepak Bhardwaj, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Karnail 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.186 dated 18.10.2015, registered under Sections 302, 307, 326, 324, 323, 148 read with Section 149 of IPC and Sections 25 & 27 of Arms Act, at Police Station Sadar, Patiala.

It is contended that the petitioner is not named in the FIR. He has been falsely implicated in the instant case on the basis of statement recorded under Section 161 Cr.P.C., of Sukhdev Singh wherein his presence has been shown. The petitioner has been alleged to be armed with kirpan, however, no injury has been attributed to him. The petitioner is not involved in any other FIR and

he is in custody since 25.11.2015.

On the other hand, learned State counsel on instructions admits the factum that no injury has been attributed to the petitioner but she states that his presence with the co-accused renders him liable for commission of offence.

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

Considering the fact the petitioner is in custody since 25.11.2015 and he is not involved in any other FIR; challan has been presented, the charges have been framed, however, no witness has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, 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.

02.12.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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