

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

CRM-M-45259 of 2016 (O&M)

Date of decision: 23.12.2016

Karaj Singh @ Shera and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.S. Sidhu, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Jitendra Chauhan, J. (Oral)

CRM-40694-2016

Allowed as prayed for, subject to all just exceptions.

CRM-M-45259-2016

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioners have sought regular bail in FIR No. 184 dated 31.10.2010, registered under Sections 326, 324, 323 and 148 read with Section 149 of IPC, at Police Station Patti, District Tarn Taran.

It is contended that during the investigation, no incriminating evidence could be collected against the petitioner. He was kept in column No.2. Subsequently, on an application filed by the prosecution, the petitioner was summoned as an additional

accused. However, without effecting service upon the petitioner, he was declared proclaimed offender, vide order dated 01.05.2014. The co-accused have already been acquitted, vide judgment dated 01.08.2014. The injury attributed to the petitioner is on non vital part. The petitioner is in custody since 13.09.2016.

On the other hand, learned State counsel opposes the bail application.

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

Considering the fact that the petitioner was summoned under Section 319 Cr.P.C; the co-accused stands acquitted as the prosecution witnesses have not supported the prosecution version and the conclusion of trial will take a long time, 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 CJM/Duty Magistrate/trial Court.

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

23.12.2016

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(JITENDRA CHAUHAN)
JUDGE

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