

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

CRM No.M-8229 of 2016 (O&M)

Date of decision: 16.08.2016

Shabir

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Kanwaljit Singh, Sr. Advocate with
Mohd. Yousaf, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Darshan 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 case FIR No.126, dated 29.12.2014, registered under Sections 307, 323, 324, 148 read with Section 149 IPC and Sections 25 & 27 of Arms Act, at Police Station City-I, Malerkotla, District Sangrur.

It is contended that petitioner is not named in the FIR. He has been falsely implicated in the instant case on the basis of supplementary statement recorded on 24.07.2015 (Annexure P-1). The complainant is involved in five FIRs. The petitioner is in custody since 28.07.2015.

On the other hand, the learned State counsel opposes the

prayer of bail and submits that one of the co-accused has not yet been arrested.

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

Considering the fact that the petitioner is not named in the FIR and is in custody since 28.07.2015; the challan has not so far been filed, therefore, it can be safely inferred that 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 the 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.

16.08.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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