

CRM-M-23004-2017 (O&M)

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

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**CRM-M-23004-2017 (O&M).
Decided on: July 7, 2017.**

Sandeep Singh

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.Hitesh Verma, Advocate,
for the petitioner.**

Ms.Jasleen Kaur Sidhu, Asstt. A.G. Punjab.

M.M.S. BEDI, J. (ORAL)

Counsel for the petitioner has brought to the notice of this Court the interim orders passed by the trial Court w.e.f. 2.1.2017 indicating that the prosecution evidence was concluded in January 2017. The statement of accused under Section 313 Cr.P.C., was recorded on 10.1.2017. The case has been adjourned on number of dates on account of the fact that the Presiding Officer was either on leave or had relinquished the charge. The order dated 3.6.2017 shows that Incharge Additional Sessions Judge, Barnala, had observed that the Presiding Officer had relinquished charge as such, case was adjourned for 4.7.2017 for defence evidence.

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Counsel for the petitioner has submitted that the defence witnesses have been summoned by the petitioner but on account of absence of any Presiding Officer they could not be examined. Next date of hearing before the trial Court is stated to be 25.7.2017.

The petitioner has been in custody w.e.f. 17.11.2015. Vide order dated 16.11.2016, a direction was issued that in case, for any reason, trial is not concluded within a period of six months, the trial Court will release the petitioner on bail on his furnishing bail bonds/surety bonds to its satisfaction.

Taking into consideration the above circumstances, this bail application has been taken up for consideration.

The allegation against the petitioner is that he had accompanied his co-accused Jashandeep Singh and had allegedly taken a kirch from said Jashandeep Singh and inflicted injuries on the back of PW Gurtej Singh who had come to the rescue of deceased Ekam Singh. Co-accused of the petitioner Jashandeep Singh has been attributed injury on the left side of the chest of the deceased. It has been further submitted by counsel for the petitioner that Jashandeep Singh has expired.

I have gone through the examination-in-chief as well as the cross-examination of Gurtej Singh. No doubt the petitioner is alleged to have inflicted injuries on the person of Gurtej Singh but Gurtej Singh, who appeared as PW.5 on 16.9.2016, has not supported the prosecution case. In view of the injured-witness having turned hostile and the petitioner having not been attributed any injury on the person of the deceased and further

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taking into consideration the period of his detention, the petitioner can be granted concession of bail, at this stage.

The petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Sessions Judge/ Incharge Additional Sessions Judge, Barnala, on his furnishing bail bonds/surety bonds to its satisfaction.

(M.M.S. BEDI)
JUDGE

July 7, 2017.
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Whether speaking / reasoned
Whether reportable:

Yes / No
Yes / No