

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-25986 of 2017

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Date of decision:14.9.2017

Bachittar Singh and another

...Petitioners

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. P.B.S. Goraya, Advocate for the petitioners.

Mr. Gaurav Garg Dhuriwala, Senior Deputy Advocate General,
Punjab for the respondent-State.

Mr. Kawaljyot Singh, Advocate for the complainant.

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Inderjit Singh, J.

The petitioners have filed this third petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.75 dated 4.7.2010 registered for the offences under Sections 302, 307, 148 and 149 IPC and Sections 25 and 27 of the Arms Act at Police Station Valtaha, District Tarn Taran.

Notice of motion has been issued. Learned State counsel has appeared on behalf of the respondent-State and Mr. Kawaljyot Singh, learned Advocate has put in appearance on behalf of the complainant and contested this petition.

I have heard learned counsel for the parties as well as learned State counsel appearing for the respondent-State and have gone through the record.

From the record, I find that in the present case, Satnam Singh, who is main accused, has already been granted regular bail by this Court vide order dated 1.6.2017 passed in Criminal Misc. No.M-16791 of 2017. Other accused Bakhshish Singh has also been granted regular bail by this Court vide order dated 27.7.2017 passed in Criminal Misc. No.M-18595 of 2017. The petitioners have been in custody since 23.7.2010 i.e. more than 7 years.

Keeping in view the custody period already undergone by the present petitioners and in view of the fact that there is no chance of tampering with the evidence by the petitioners as trial of the present case is already complete and as argued, the present case has been kept pending to be decided with the complaint case filed by Bakhshish Singh, which will take long time for final disposal and on the ground of parity also, I find that no useful purpose will be served by further keeping the petitioners in custody.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of ₹50,000/- each with one surety each in the like amount to the satisfaction of the trial Court/Duty Magistrate.

September 14, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No