

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

CRM -M-28264 of 2017 (O&M)

Date of decision: 28.08.2017

Rashpal Singh @ Mani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Sushma Chopra, Advocate for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab
assisted by ASI Sukhdev 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. 45 dated 09.04.2013, registered under Sections 392 and 397 of IPC, at Police Station Shahkot, District Jalandhar.

This is the second bail application filed on behalf of the petitioner. The first one was dismissed vide order dated 18.01.2017 (Annexure P-6), however, keeping in view the factum of co-accused having been acquitted, the trial Court was directed to conclude the trial expeditiously. It is contended that till date out of 14 PWs only 04 Pws have been examined so far. The complainant has not supported the prosecution version. The conclusion of trial will take a long time.

On the other hand, the learned State counsel opposes the bail application, however, he admits the above factual aspect of the matter.

Heard.

Considering the fact that the complainant has not supported the case of the prosecution; out of total 14 PWs, only 04 PWs have 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 CJM/Duty Magistrate/trial Court.

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

28.08.2017

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(JITENDRA CHAUHAN)
JUDGE

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