

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

CRM No.M-34637 of 2017 (O&M)

Date of Decision: October 09, 2017

Sukhdev Kalyan alias Chiri

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.S.S.Khaira, Advocate
for the petitioner.

Mr.K.S.Aulakh, Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.98 dated 17.06.2014 under Sections 302, 307, 326 and 34 IPC, registered at Police Station Division 2 Jalandhar, District Jalandhar.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that 12 witnesses out of 27 witnesses have already been examined. Two eye witnesses remain to be examined.

The present petitioner is named in the FIR. He was stated to be armed with

kirpan (sword). He gave one injury to the deceased and two injuries with sword to the injured person.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and in view of the fact that petitioner has taken active role in the commission of offence, I do not find it a fit case where petitioner is entitled to benefit of regular bail. Therefore, finding no merit in the present petition, the same is dismissed.

However, as the petitioner is stated to have been in custody since 17.06.2014, therefore, the trial Court is directed to decide the case expeditiously by giving short adjournments and if required, even day to day adjournments. The Investigating Officer/SHO concerned is directed to produce the witnesses before the trial Court on the next 2-3 dates.

October 09, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No