

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35668-2017 (O&M)
Date of decision: 16.11.2017

Rabbi Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.V.S. Chugh, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

Mr. Gourav Goel, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.215 dated 23.11.2016 under Section 302 IPC and Sections 27/54/59 of Arms Act, registered at Police Station Sadar Khanna, District Ludhiana.

Learned counsel for the petitioner submits that the eyewitness in this case namely Surmukh Singh has already been examined and has not supported the prosecution version. It is further submitted that another witness, son of deceased namely Narinderpal Singh, who has got FIR registered, is not coming forward for the last more than 3-4 dates for conclusion of his cross-examination. Counsel for the petitioner has further

submitted that after recording the examination-in-chief of the petitioner, an application under Section 319 Cr.P.C. was moved to summon one Inderjeet Singh as additional accused, however, the same was dismissed and on that account, trial is delayed. It is also submitted that as per the version given in the FIR, it was only an accidental case, where the gunshot was fired in the air during the marriage ceremony. Counsel for the petitioner further submits that the petitioner is about 60 years of age and he is in judicial custody since 23.11.2016 and is not involved in any other case.

Learned State counsel, on instructions from ASI Jagjeevan Ram, has submitted that there are 20 witnesses, out of which 05 have been examined. Learned counsel for the complainant has however opposed the prayer for regular bail.

Without commenting on merits of the case, considering the fact that the petitioner is aged about 60 years, not involved in any other FIR and is in judicial custody since 23.11.2016 and also in view of the fact that conclusion of trial will take long time, as 15 witnesses are yet to be examined, the petitioner is directed to be released on bail subject to his furnishing bail/surety bond to the satisfaction of trial Court.

Petition is disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

16.11.2017
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No