

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 207

CRM-M-40175-2016
Decided on : 05.04.2017

Makhan Singh

..... Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. M. S. Uppal, Advocate, for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Custody certificate filed by learned State counsel, in Court today, is ordered to be taken on record. Copy of the same has been handed over to the counsel opposite.

Through the present petition filed under Section 439 Cr. P. C., the petitioner seeks the concession of regular bail in FIR No. 98, dated 26.09.2014, registered under Sections 302, 307, 323, 324, 148 and 149 IPC and Sections 25, 27, 30, 54 and 59 of the Arms Act, at Police Station City Budhlada, District Mansa.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been in custody for the last about 2½ years; only six out of a total eleven prosecution witnesses including the material witnesses have been examined and the trial is not likely to conclude in the near future.

Learned State counsel opposes the grant of bail on the ground that there are serious allegations against the petitioner of having participated in the crime leading to the murder of one Jagjit Singh. It is further undertaken that the prosecution would lead its entire evidence within three months from the next date fixed before the trial court.

Balancing the long incarceration of the petitioner with the serious allegations against him, I am of the opinion that the ends of justice would be met to bind the State to the afore statement undertaking that it would conclude the entire prosecution evidence within three months from the next date of hearing fixed before the trial court, of course, subject to the cooperation by the petitioner.

The trial court is also requested to make every endeavour to conclude the trial within four months from the next date fixed before it.

In case, the trial is not concluded within four months from the next date fixed before the trial court, the petitioner would be at liberty to revive his prayer for regular bail.

The petition stands disposed off in the above terms.

05.04.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No