

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

CRM-M-43100-2016 (O&M)

Date of decision: 08.05.2017

RAJINDER SINGH @ AMNI

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. S.S. Rangî, Advocate
for the petitioner (s).

Mr. Mehardeep Singh, Addl. A.G., Punjab

Mr. A.K. Saini, Advocate
for the complainant.

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.176 dated 22.07.2014, registered under Section 302 read with Section 34 IPC, at Police Station Samrala, Distt. Ludhiana.

Contents that there is nothing against the petitioner except the confession of the petitioner made before PW3-Manjit Singh. Said Manjit Singh has been stated to be a stock witness. State has filed a short affidavit wherein said Manjit Singh has been shown to be witness in four other FIRs. The petitioner is in custody since 23.07.2014.

On the other hand, the learned State counsel and learned counsel for the complainant vehemently oppose the present bail petition. The learned counsel for the complainant states that the complainant is being threatened by the petitioner. However, he is unable to place on record any material in support of his assertion.

Heard.

Considering the facts that last seen witness PW4-Charanjit Singh as well as the PW3-Manjit Singh, before whom the alleged confession was made and said to be a stock witness stand examined; the petitioner is in custody since 23.07.2014; on the last date of hearing, statement of PW15A-Gurwinder Singh before the trial Court could not be recorded as exemption application had been filed, thus, at this stage it appears that trial is likely to take a long time, therefore, in view of the above, no purpose would be served in keeping the petitioner behind the bars.

Accordingly, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

However, State shall ensure that in case any complaint/application is received from the complainant with regard to any threat or coercion, State shall immediately take action on such a complaint/application and shall provide necessary protection to the

complainant in accordance with law.

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

08.05.2017
ashok

(JITENDRA CHAUHAN)
JUDGE

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