

CRM-M-5074-2017

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

CRM-M-5074-2017

Date of Decision: 27.03.2017

Stephen Masih

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Zorawar Singh Chauhan, Advocate,
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Stephen Masih has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.143 dated 20.05.2013, registered at Police Station Phillaur, District Jalandhar, under Sections 307, 323 and 34 of the Indian Penal Code.

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

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

From the record, I find that the present petitioner has not been named in the FIR. Neither, he has been stated to be armed with any

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weapon, nor any injury has been attributed to him. However, he has been declared proclaimed offender in this case.

The petitioner has been in custody since 13.07.2016 and as stated by learned State counsel, challan has not been presented so far. Moreover, co-accused has already been acquitted by the trial Court as witnesses had not supported the prosecution version.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that no useful purpose will be served by keeping the petitioner in custody as the presentation of challan as well as trial of the case will take a long time. Therefore, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

27.03.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No