

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-5373-2017

Date of Decision: 27.02.2017

Mukesh Kumar @ Tillu

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Gurpal Singh Sandhu, Advocate,
for the petitioner.

Mr. K.S. Pannu, D.A.G., Punjab.

Mr. Amaninder Singh Sekhon, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C., for grant of 'regular bail' to the petitioner, in case FIR No. 233 dated 30.10.2014 registered at Police Station City Kotkapura, District Faridkot, for the alleged commission of offences punishable under Sections 302/148/149/120-B of the IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody since 08.11.2014 and the trial is still no where near conclusion, in view of the fact that after the examination of one witness, i.e. the complainant, an application was filed under Section 319 Cr.P.C. by the prosecution, which is still pending for adjudication before the Court.

Learned counsel for the complainant, on the other hand,

submits that the petitioner has been attributed two to four injuries with a rod

on the legs of the deceased, who was subjected to severe a beating eventually leading to his death.

Learned counsel for the State reiterates the same, though admitting the period of custody and the stage of the trial.

Keeping in view the total circumstances of the case, specifically the period of custody undergone by the petitioner and the stage of the trial, the petitioner being one of many who have been attributed injuries to the deceased, I see no reason to deny the bail to the petitioner at this stage, without making any comment whatsoever, with regard to the merits of the allegations against him.

Consequently, the petition is allowed. The petitioner shall be admitted to bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

The trial Court would however, ensure that the bail and surety bonds furnished are of a sufficiently adequate amount.

(AMOL RATTAN SINGH)
JUDGE

February 27, 2017

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Whether speaking/reasoned

Yes

Whether Reportable

No.