

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

CRM -M-8815 of 2017 (O&M)

Date of decision: 23.03.2017

Kanwaljit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sarbjit Singh, Advocate for the petitioner.

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

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 a cross version vide DDR No. 20 dated 24.05.2015, registered under Sections 307, 506, 148 read with Section 149 of IPC and Sections 25 & 27 of Arms Act in FIR No. 69 dated 24.05.2015, registered under Sections 307, 506, 148 read with Section 149 of IPC and Sections 25 & 27 of Arms Act, at Police Station Raja Sansi, Amritsar.

It is contended that uncle of the petitioner is complainant in the FIR case. The petitioner is an accused in the cross version. He refers to Annexure P-4, the MLR of Sakatar Singh to contend that as many as 09 injuries were caused to him by the rival party. The injury attributed to the petitioner though have been shown to be gun shot injury, however, the same have been found to be simple in nature and on non vital part. In

fact, the complainant in cross version are aggressors. The petitioner is in custody since 18.01.2017. The challan has not been presented so far.

On the other hand, learned State counsel opposes the bail application.

I have heard learned counsel for the parties and perused the record.

Though the FIR was registered on 24.05.2015, however, the challan has not been presented so far. No reasons have come on record for not filing the challan; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate.

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

23.03.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No