

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

CRM-M-9030-2017 (O&M)
Date of decision: 28.03.2017

PARMINDER SINGH AND ANR.

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

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 petitioners have sought regular bail in FIR No.48 dated 23.04.2014, registered under Sections 323, 324, 325, 341, 427, 452, 148 read with Section 149 IPC (Section 324 IPC deleted later on), at Police Station Model Town, Distt. Ludhiana.

Contentends that both the parties have been residing in the same house, therefore, Section 452 IPC is not made out. Initially the FIR was registered under Sections 323, 324, 325, 341, 427, 452, 148 read with Section 149 IPC, however, subsequently, Section 324 IPC was deleted. Petitioner No.1 and petitioner No.2 are in custody since 27.10.2016 10.11.2016, respectively.

On the other hand, the learned State counsel submits that earlier the petitioners were declared proclaimed offenders without effecting service upon them. However, petitioner No.2 surrendered himself, whereas petitioner No.1 was allegedly arrested. He informs that challan has been filed and out of 8 PWs, none has been examined so far.

Heard.

Considering the above and the facts that the dispute is *inter se* the family members; challan has been presented; and out of 8 PWs, no PW has been examined so far, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioners behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail during the pendency of the trial, on their furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

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

28.03.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No