

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

**CRM No.M-9230 of 2017
Decided on: 03.10.2017**

Amarjit Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. K.B.S. Mann, Advocate
for the petitioner.

Mr. Amandeep S. Gill, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.10 dated 29.02.2016, for offence punishable under Sections 307, 326, 324, and 323 of the Indian Penal Code, 1860 (in short 'IPC') registered in Police Station City Rampura, District Bathinda.

Counsel for the petitioner has submitted that the petitioner is in judicial custody for the last 01 year and 07 months and 09 witnesses of the prosecution including the complainant and the private witnesses have already been examined and only official witnesses remained to be examined. Counsel for the petitioner has further submitted that on the last 03 dates of hearing i.e. 24.08.2017, 07.09.2017 and 26.09.2017, no prosecution witness was either present or examined and, therefore, conclusion of the trial is being delayed by the prosecution itself. It is further submitted that the petitioner is not involved in any other case and has already undergone sufficient period

of incarceration.

On the other hand, counsel for the State, on instructions from ASI Bishan Dass, has not disputed the factual assertions but opposed the prayer for bail. He has further submitted that 04 more prosecution witnesses are yet to be examined and the next date of hearing before the trial Court is 17.10.2017.

I have heard counsel for the parties, perused the paperbook and the records.

Without meaning to express any opinion on merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial Court. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

03.10.2017
yakub

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