

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

**CRM-M No. 1047 of 2018
Date of Decision: 16.7.2018**

Bhupinder Pal @ Bhhinda

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Sarju Puri, Advocate, for the petitioner

Mr. K.S. Aulakh, DAG, Punjab

RAJBIR SEHRAWAT, J.

Present petition has been filed under Section 439 of the Cr.P.C. for seeking bail pending trial in the FIR No. 79 dated 7.8.2017 under Sections 406, 420, 465, 467, 468, 471, 506 and 120B IPC and Section 27 of Arms Act, registered at Police Station Behram, District SBS Nagar.

Perusal of the previous orders passed by this Court shows that the trial of the case is going on in the trial Court since August 2017. The petitioner is stated to be in custody since 8.8.2017. Vide order dated 10.5.2018, this Court had directed the trial Court to make endeavour to record evidence of the complainant. However, the evidence of the complainant has not been recorded so far. Still further, the previous order reflects that the complainant is based outside India. He has not returned to India to depose before the Court so as to complete the trial.

Learned State counsel submits that it cannot be said for sure as to when the complainant would be returning to India to be examined in the Court.

In view of the above; while making a balance between the right of

the petitioner and privilege of the State, it is appropriate to release the petitioner on bail.

In view of the above, but without commenting upon the merits of the case, it is ordered that the petitioner shall be released on bail pending trial, on his furnishing bond/sureties to the satisfaction of the trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

16.7.2018
Ashwani

Speaking/Reasoned	Yes/No
Reportable	Yes/No