

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

CRM-M No.13612 of 2018
DATE OF DECISION:21.05.2018

Deepak Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Sanjeev Pandit, Advocate
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Barrister Rubal Garg, Advocate for
Mr. J. S. Bedi, Senior Advocate
for the complainant.

DAYA CHAUDHARY, J.(ORAL)

This is the fourth application filed under Section 439 Cr.P.C., for regular bail in case FIR No.112, dated 10.10.2015, registered under Sections 381, 406, 420, 120B IPC at Police Station Phase 11, SAS Nagar(Punjab).

Learned counsel for the petitioner submits that while withdrawing the earlier application, there was an order to conclude the trial within a period of six months. In spite of passing approximately eight months, trial has not been concluded. Learned counsel also submits that petitioner is in custody since 19.11.2015 and trial may take long time to conclude as supplementary challan has been presented. Three co-accused of the petitioner have been released on bail. No purpose would be served

to keep the petitioner behind the bars. Moreover, all material witnesses have been examined.

Learned State counsel as well as learned counsel for the complainant have opposed the submissions made by learned counsel for the petitioner but does not dispute the custody period as well as release of co-accused on regular bail. It has also not been disputed that earlier petition was dismissed as withdrawn with a direction to conclude the trial within a period of six months which has already expired. The trial has not been concluded. The supplementary challan has been presented and trial may take more time to conclude. Co-accused have been released on regular bail and the petitioner is in custody since 19.11.2015. There is no other case of similar nature against the petitioner.

Accordingly, the petition is allowed. The petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

21.05.2018
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(DAYA CHAUDHARY)
JUDGE

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