

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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CRM-M-21782-2018

Date of decision:25.05.2018

Tinku Kumar

...PETITIONER

Vs.

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

Mr. Kuldeep Singh, Sr. DAG, Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this application is for grant of regular bail in FIR No. 144 dated 16.06.2017 registered under Sections 302/34 IPC (Section 324 IPC added later on) at Police Station Sadar Khanna, District Khanna.

It is the contention of the learned counsel for the petitioner that the petitioner was arrested on 19.06.2017 with the allegation that he had injured the complainant with a knife on the left leg, which has been found to be simple in nature. He further contends that all the three eye witnesses have been examined, who are the complainant-Vipan Kumar, Pavitra, the sister of the deceased and Sahinder Singh, father of the deceased, who all have turned hostile. He, therefore, contends that the petitioner be granted the concession of bail as the injury, which has been given to the deceased Anuj Kumar, is not by the petitioner but by the co-accused Mintu with the trial not likely to conclude in near future as out of 19 witnesses, only 3 witnesses have been examined who have also turned hostile.

Counsel for the State, on instructions from HC Mayor Singh, Police Station Sadar Khanna, could not dispute the said assertions of the counsel for the petitioner.

Keeping in view the above facts and circumstances and also the fact that the trial is not likely to conclude in near future with the three eye witnesses having turned hostile, the present application is allowed. Petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

Any observations made herein above shall have no bearing on the merits of the case in any manner.

May 25, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No