

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-26079-2018

Date of Decision: October 25, 2018

Shri Ram @ Shri Ram Thekedar and another

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Amandeep Singh Rai, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Amandeep Singh, Advocate for the complainant

Sudhir Mittal, J. (Oral)

The petitioners-Shri Ram @ Shri Ram Thekedar son of Sh. Babu Lal and Harpreet Singh @ Smarty son of Ajit Singh, seek grant of regular bail in FIR No.124 dated 11.05.2018, registered at Police Station Gate Hakima, District Amritsar, under sections 306/34 IPC.

2. Learned counsel for the petitioners submits that the investigation in this case is complete. The examination of prosecution witnesses has not yet commenced. There is no other criminal case pending against the petitioners. The trial of the case is not likely to be concluded at an early date and thus, the petitioners be granted regular bail.

3. A perusal of the order-sheet shows that the matter was adjourned to today so that the private witnesses could have been examined meanwhile.

4. Today, learned counsel for the petitioners has made a reference to order dated 20.09.2018 of the trial Court, wherein it is recorded that the private witnesses did not come present despite service and they have been summoned through bailable warrants. Thus, it is submitted that complainants are intentionally delaying the trial

5. From the above, it is evident that the trial is not likely to be concluded at an early date, as the examination of prosecution witnesses has not yet started. Learned counsel for the petitioners appears to be correct, when he says that complainants are delaying the trial. It is also apparent that there is no other criminal case pending against the petitioners and thus, no useful purpose would be served by keeping the petitioners in custody indefinitely.

6. In view of the above, this petition is allowed and the petitioners-Shri Ram @ Shri Ram Thekedar son of Sh. Babu Lal and Harpreet Singh @ Smarty son of Ajit Singh, is ordered to be released on bail on their furnishing bail and surety bonds to the satisfaction of learned trial Court concerned.

October 25, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No