

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

Crl. Misc.M- 27356-2018 (O&M)

Date of Decision: August 07, 2018

Gurjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. H. S. Batth, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. A.K.Kalsy, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 183 dated 31.10.2016, under Sections 302, 304-B, 34 of Indian Penal Code registered at Police Station Sadar Ludhiana, District Ludhiana City.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 31.10.2016. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that material witnesses have since been examined and that conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-

State, on instructions from the Investigating Officer and complainant opposes the grant of regular bail to the petitioner, while submitting that offences under Section 302, 304-B of IPC as alleged against the petitioner are serious in nature, therefore the petitioner is not entitled for grant of regular bail, however, she does not dispute the fact that the material witnesses have been examined.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioner herein has been in custody since 31.10.2016, which is almost one year and 10 months and that material witness has since been examined and while keeping in mind this fact there is little chance for the petitioner herein to influence the material witnesses anymore, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without expressing any opinion on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

August 07, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No