

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

CRM-M-33521-2017

Date of decision:- 09.03.2018

Gori Shankar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Neeraj Madaan, Advocate
for the petitioner.

Mr. Amitoj S. Dhaliwal, DAG, Punjab.

Mr. Ashok Kumar Sama, Advocate
for the complainant.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.128 dated 08.09.2016, under Sections 325, 323, 308 and 34 IPC; offence under Section 307 IPC was added later on instead of Section 308 IPC, vide DDR No.13 dated 22.11.2016 and Section 326 IPC was added later on, vide DDR No.13 dated 06.12.2016, registered at Police Station Sadar Fazilka, District Fazilka.

2. Learned counsel for the petitioner contends that the petitioner is in custody since 15.09.2016 and no useful purpose will be served by

keeping him behind the bars. It is further contended that out of total nine witnesses, only three have been examined so far.

3. The above factual position is duly acknowledged by learned State counsel.

4. In view of the fact that the petitioner is in custody since 15.09.2016 and trial is not likely to be concluded in the near future as only three PWs out of nine have been examined till date, no useful purpose would be served by keeping him behind the bars any more. Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner-Gori Shankar is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

(MAHABIR SINGH SINDHU)
JUDGE

March 09, 2018
naresh.k

Whether reportable?	Yes
Whether reasoned/speaking?	Yes