

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

CRM-M-45273-2017 (O&M)
Date of decision : 23.01.2018

Barinder Singh @ Varinder Singh @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Dadwal, Advocate,
for the petitioner.

Ms. Sudeepti Sharma, Addl.A.G., Punjab,
assisted by HC Mewa Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.181 dated 01.10.2016, registered under Sections 354, 354(A), 509 read with Section 34, 323 and 341 of the Indian Penal Code, at P.S. Model Town, District Ludhiana.

Contents that the petitioner had a dispute with the brother of the prosecutrix. The co-accused, namely, Amandeep Singh @ Happy, Jarnail Singh and Rakesh Kumar @ Ramesh Kumar, have already been granted the benefit of bail. The petitioner is in custody since 07.12.2006. The prosecutrix has already been examined.

On the other hand, learned State counsel, on instructions, submits that the challan stands presented and charges framed. Out of 13 prosecution witnesses, 2 have already been examined.

Heard.

It is a magisterial trial. Admittedly, the petitioner is in custody since 07.12.2016. Three co-accused have already been admitted to bail.

Only two prosecution witnesses, including the prosecutrix, out of thirteen have been examined so far, therefore, the trial is not likely to be concluded in the near future.

Keeping in view the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned. The petitioner shall also surrender his passport, if any, held by him, with the trial Court and shall not leave the country without prior permission of this Court.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

23.01.2018
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No