

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

**Crl. Misc. No.M- 46951 of 2018
Date of decision : 31.10.2018**

Anil Gupta

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. Jagmohan Ghumman, DAG, Punjab.

ANITA CHAUDHRY, J.(ORAL)

The petitioner is seeking regular bail in FIR No. 58 dated 25.02.2016, registered under Sections 307, 376, 506 I.P.C. (Sections 302/120-B IPC added later on) Police Station Focal Point, District Ludhiana City.

Counsel for the petitioner contends that the petitioner is in custody since 26.02.2016 and he is the brother of Sunil and he was not named in the FIR. Counsel urges that the father of the victim has been examined and he has turned hostile. Counsel further states that the only allegation against the petitioner was that he had instigated the main accused namely his brother.

The star witness has not supported the prosecution version. The prosecution had concluded its evidence but thereafter an application under Section 311 Cr.P.C. had been filed, which had been allowed. The prosecution now wants to examine the mother.

The trial will take long time to conclude. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court.

31.10.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No