

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-1525-2019

Date of Decision:04.02.2019

Pawandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Rakesh Chopra, Advocate,
for the petitioner.

Mr. Jagmohan Ghumman, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this 3rd petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.394 dated 27.12.2016 under Sections 420, 376, 342, 313, 506, 201, 120-B IPC, registered at Police Station Tripuri Town, District Patiala.

The earlier petition i.e. CRM-M-34866-2017 was dismissed as withdrawn on 22.09.2017. Thereafter, petitioner has filed 2nd petition i.e. CRM-M-7847-2018, which was also dismissed as withdrawn on 12.03.2018.

Learned counsel for the petitioner states that the petitioner is in custody since 10.04.2017 and there is no allegation against him for the offence punishable under Section 376 IPC. The allegation is against co-accused Harinder Singh @ Dimple, if any. The trial in the case will take sufficient long time as against total 25 witnesses cited by the prosecution,

only 05 witnesses have been examined.

Learned State Counsel on instructions from ASI Gurmail Singh does not dispute the custody period, though he states that there is no allegation of rape against the petitioner in FIR, but both the brothers have conspired with each other so as to commit the offence punishable under Section 376 IPC and trial in the matter can be expedited.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 10.04.2017 and as against total 25 witnesses cited by the prosecution, only 05 witnesses have been examined so far, trial in the case will take sufficient long time, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses in any manner directly or indirectly.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case.

February 04, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No