

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

**Criminal Misc. No. M-21412 of 2018
Date of decision: 08.03.2019**

Sunny Kumar

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Atul Goyal, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab
for the respondent -State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case FIR No.134 dated 29.12.2017 registered under Sections 307, 323, 324, 451, 427, 148, 149, 341 IPC at Police Station Nurmahal, District Jalandhar during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not involved. It is a case of version and cross-version and it cannot be said at this stage as to which of the party was more aggressive. The petitioner is in custody since 15.02.2018 and out of total 24 prosecution witnesses, seven witnesses including the material witnesses have been examined. Cross case was cancelled. Earlier the case was adjourned as complainant and injured were not examined and now both complainant and injured have been examined.

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Still trial may take time to conclude and no purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the custody period as well as stage of trial.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

By considering that the petitioner is in custody since 15.02.2018; out of total 24 prosecution witnesses, 7 witnesses including the material witnesses have been examined; trial may take time to conclude; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Sunny Kumar) is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

08.03.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No