

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

Crl. Misc. No.M-17519 of 2019(O&M)  
Date of Decision: 22.07.2019

|                 |        |               |
|-----------------|--------|---------------|
| Jarnail Singh   |        | ...Petitioner |
|                 | Versus |               |
| State of Punjab |        | ...Respondent |

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present:- Mr. J.S. Bedi, Senior Advocate, with  
Mr. L.S. Chahal, Advocate, for the petitioner.  
Mr. Rajat Bansal, AAG,Punjab  
Mr. Amandeep Saini, Advocate, for the complainant.

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**Amol Rattan Singh, J. (Oral)**

By this petition, filed under Section 439 Cr.P.C., the petitioner seeks the concession of 'regular bail'.

Pursuant to the order of this Court dated 15.07.2019, Mr. Bedi, learned Senior Counsel, has produced in Court today an interim order passed by the trial court on 19.07.2019, which reads as follows:-

“One PW examined. PW Bittu Singh also examined-in-chief. Cross examination is deferred at the request of ld. Defence counsel. He is bound down for 02.08.2019. PW Sukhbir Singh not come present despite service throughailable warrant. He be summoned nonailable warrant for the date fixed. Pws cited at Sr. no.3, 4, 6, 9 and 13 be also summoned.”

He submits that the cross-examination of the complainant Bittu Singh was deferred because the second witness sought to be examined, i.e.

Sukhbir Singh, was not present despiteailable warrants having been issued and therefore cross-examination of the complainant, on behalf of the petitioner-accused, could also not be conducted.

He further reiterates that the petitioner is in custody since 09.09.2018, with in any case the complainant having been examined twice earlier on an application filed under Section 319 Cr.P.C., with it being a case of a version and a cross-version thereto, of the occurrence, he also reiterating that the petitioner used his fathers' licensed weapon in self defence, after his father was allegedly attacked.

Without making any comment at all on the merits of the aforesaid contention, for or against the petitioner, I deem it appropriate to admit him to bail during the pendency of the trial.

Consequently, this petition is allowed. The petitioner would be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

22.07.2019  
vcgarg

**(Amol Rattan Singh)**  
**Judge**

**Whether reasoned/speaking: Yes**  
**Whether reportable: no**