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

CRM-M-48208 of 2018

Date of decision: May 08, 2019

Lovely @ Ladda

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner in FIR No.76 dated 24.04.2017, under Sections 323, 341, 506, 308, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station C Division, Amritsar.

It is contended by the learned counsel for the petitioner that the petitioner is in custody since 26.11.2018 and after framing of charges, now the case is fixed for 18.05.2019 before the learned trial Court. It is further contended that there are total 18 prosecution witnesses and only one has been examined till date. Also contended that there is no other criminal case pending against the petitioner and even the matter has been compromised with the complainant.

The above factual position is duly acknowledged by learned State counsel, on instructions from Assistant Sub Inspector Harnek Singh.

Heard learned counsel for the parties and perused the paper book.

It transpires that on earlier occasion also, petitioner was ordered to be released on interim bail on 22.11.2018 and thereafter, he surrendered on 26.11.2018 and never misused the concession. Since the matter is stated to be compromised between the parties and there are total 18 prosecution witnesses, but only one has been examined, thus, the trial will take long time. Concededly, there is no other criminal case pending against the petitioner.

As a result thereof, this petition is allowed. The petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case as well as of compromise between the parties.

However, it is clarified that petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

May 08, 2019
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Whether speaking/ reasoned: **Yes**

Whether Reportable: **Yes**