

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

CRM-M-23639 of 2019
Date of Decision: 24.09.2019

Harpal Singh @ Bhala

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 439 Cr.P.C. seeking bail pending trial in case FIR No. 81 dated 29.09.2018, under Sections 379-B and 201 of the Indian Penal Code, registered at Police Station Harike, District Tarn Taran.

Learned counsel for the petitioner contends that the petitioner is in custody since 03.11.2018 and after investigation in the matter report under Section 173 Cr.P.C. has already been submitted and charges were also framed on 13.08.2019. Further contends that there are total 20 prosecution witnesses, but none has been examined till date. It is vehemently contended that even the identification parade was conducted on the direction of learned trial Court, but the complainant failed to identify the petitioner.

The above factual position is duly acknowledged by

learned State counsel on instructions from the police official.

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

Concededly, in this case the prosecution evidence is yet to start and the petitioner is in custody since 03.11.2018, the report under Section 173 Cr.P.C. has already been submitted and there are total 20 prosecution witnesses, but till date none has been examined. Since the trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioner behind the bars any more.

In view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner-Harpal Singh @ Bhala be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

September 24, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no