

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

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**CRM-M No.53016 of 2018.
Date of Decision: 14.03.2019.**

Tejbinder Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Jaspreet Singh Brar, Advocate, for the petitioner.

Mr. Prabhjot Singh Walia, Assistant Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in Cross Case Rapat No.29 dated 27.07.2018 under Section 307 of the Indian Penal Code (for short, 'IPC') and Section 25/54/59 of the Arms Act, in F.I.R. No.95 dated 24.07.2018 under Sections 452, 324, 323, 427, 148, 149 IPC and Section 25/27 of Arms Act, registered at Police Station Sadar Faridkot, District Faridkot.

Learned counsel representing the petitioner contended that the petitioner is in custody since 06.09.2018 and the allegations against the petitioner are that he caused gun shot injury to Navsangeet Singh. During the trial, Navsangeet Singh appeared before the Court as PW1 and deposed, but failed to identify the accused person and has not supported the

prosecution case. Other material witnesses, namely, Sukhpreet Kaur and Karamjit Singh have also been examined before the Court and they have also not supported the prosecution case. Trial of the case still to take some more time, no useful purpose would be served by detaining the petitioner behind the bar, so he be released on bail.

Learned State counsel fairly conceded that Navsangeet Singh is the only injured in this case, who has not supported the prosecution case.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to any of the party and taking into consideration the fact that the petitioner is in custody since 06.09.2018 and the fact that injured Navsangeet Singh and other material witnesses namely, Sukhpreet Kaur and Karamjit Singh have not supported the prosecution case; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner-Tejbinder Singh is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

14.03.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No