

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

CRM-M-25316 of 2019(O&M)

Date of Decision: 05.09.2019

Satpal Chawla

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kulbhushan Raheja, Advocate and
Mr. M.S. Sidhu, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

CRM-25344 of 2019

The instant application has been filed under Section 482 Cr.P.C. for placing on record the statement of Akbar s/o Kamra as annexure (P-6).

For the reasons enumerated in the application, the same is allowed and the statement is taken on record subject to all just exceptions.

Main case:

Present petition has been filed under Section 439 Cr.P.C. seeking bail pending trial in case FIR No. 96 dated 08.10.2018, under Sections 307, 326, 323, 447, 148, 149 and 120-B of the Indian Penal

Code and Sections 25, 27, 54 and 59 of the Arms Act, 1959, registered at Police Station Mallanwala, District Ferozepur.

Learned counsel for the petitioner contends that the petitioner is in custody since 08.10.2018. Further argued that two of the material witnesses namely Balbir Singh (complainant) as well as Akbar, both injured have also not supported the case of the prosecution; rather specifically deposed that accused are not the persons, who were attackers in this case.

The above factual position is duly acknowledged by learned State counsel on instructions from the police official, but opposed the bail while submitting that the petitioner is the main accused.

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

Undisputedly, both the material witnesses namely, Balbir Singh and Akbar, who are injured also have not supported the prosecution case; rather specifically deposed before learned trial Court that petitioner is not the attacker in this case. Admittedly, the co-accused of the petitioner namely Satpal Singh has already been granted the concession of regular bail by this Court vide order dated 17.05.2019 passed in CRM-M-12340 of 2019. Even other co-accused namely, Gurmail Singh, Palwinder Singh and Ranjit Singh have been granted the concession of bail by learned trial Court. Petitioner is in custody since 08.10.2018 and 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 accepted. Petitioner-Satpal Chawla 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 05, 2019
rashmi

Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no