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

CRM-M-26759 of 2019

Date of decision: July 04, 2019

Paramjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. V.G. Jauhar, Senior 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.4 dated 28.01.2011, under Sections 325, 323, 34 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Bagha Purana, District Moga.

As per prosecution case, petitioner has not been named in the FIR, but has been nominated later on as an accused.

It transpires that co-accused of the petitioner were acquitted by the learned trial Court vide judgment dated 28.11.2016, but he was declared as a proclaimed person and is in custody since 31.03.2019.

Learned State counsel, on instructions from Assistant Sub Inspector Harwinder Singh has apprised the Court that after investigation in the matter, challan qua petitioner has also been

submitted before the Court of competent jurisdiction and charges are framed, but no prosecution witness has been examined till date.

Since FIR is only under Sections 323, 325 read with Section 34 IPC and the case is triable by Magistrate, therefore, this Court deem it appropriate to release the petitioner on bail pending trial.

As a result thereof, this petition is allowed. 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.

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

(MAHABIR SINGH SINDHU)
JUDGE

July 04, 2019

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Whether speaking/ reasoned: **Yes**

Whether Reportable: **Yes**