

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

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Date of Decision: 19.08.2019

1. CRM-M-27391-2019 (O&M)

Gulab Singh

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M-29751-2019 (O&M)

Charan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Pratham Sethi, Advocate
for the petitioner (in both cases).

Mr. Surinder Pal Singh Tinna, Addl. AG, Punjab.

Mr. Manoj Pundir, Advocate
for the complainant.

ANIL KSHETARPAL, J (ORAL)

Vide this order, CRM-M-27391 of 2019 and CRM-M-29751 of
2019 shall stand disposed of.

Prayer in both the petitions is to grant regular bail to the
petitioners in DDR No.40 dated 22.04.2016 registered under Sections 307,
323, 324, 148, 149 of the Indian Penal Code (Sections 302, 325 and 201 of
IPC added later on) in FIR No.81 dated 21.04.2016, at Police Station Dera
Bassi, District SAS Nagar (Mohali).

Learned senior counsel appearing for the petitioners has submitted while referring to the FIR that although, the petitioners are alleged to have used fire arms, however, no injury is attributed to them. He further submits that the petitioners are in custody since 11.12.2017 and a cross case has also been registered. It has been pointed out that out of total 31 witnesses, only 1 has been examined i.e. first informant (complainant).

Learned State counsel has submitted that the remaining witnesses are official witnesses and a direction can be issued to the trial Court to conclude the trial within a limited time frame.

On the other hand, learned counsel for the complainant has opposed the bail application on the ground that Mohinder Singh deceased died, however, the same is not attributed to the petitioners.

The petitioners are in custody for more than 1 year and 8 months. The conclusion of the trial is likely to take time. The co-accused namely Tarun Kumar @ Tarun Partap who is alleged to have attributed some injuries has been ordered to be released on bail in CRM-M-56777 of 2018.

Without commenting on the merits of the case and keeping in view the fact that the trial of the case is likely to take a long time, the petitioners are directed to be released on regular bail (in both petitions) subject to furnishing of adequate personal/surety bonds to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

Accordingly, both the petitions are allowed.

(ANIL KSHETARPAL)
JUDGE

19.08.2019
D.Bansal

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No