

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

CRM-M-32958-2019

Date of decision: 07.12.2019

Satnam Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Ms. Kamaldeep Kaur, Advocate for the petitioner.

Mr. Sandeep Singh Deol, D.A.G. Punjab.

ARUN KUMAR TYAGI, J.

The petitioner has filed the present second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.98 dated 11.07.2018 registered under Sections 307 read with Section 34 of the Indian Penal Code, 1860 (for short 'the IPC') and Section 25 of the Arms Act, 1959 at Police Station Haibowal, District Ludhiana to which Sections 201 and 102-B of the IPC were added lateron.

The first regular bail petition of the petitioner was dismissed as withdrawn vide order dated 10.04.2019.

Learned State Counsel has appeared and opposed the bail application.

I have heard learned Counsel for the petitioner and learned State Counsel and perused the relevant record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. The petitioner was neither named by the complainant in his statement to police nor identified at the time of occurrence. The revolver used in the commission of crime did not belong to the petitioner. Nothing was recovered from the petitioner. The trial is not yet concluded and is likely to take long time. No useful purpose will be served by keeping the petitioner in custody. The petitioner is ready to appear before the Court on each and every date of hearing and abide by the terms and

conditions of the bail order. Therefore, the petitioner may be granted regular bail.

Learned State Counsel has opposed the petition and argued that the petitioner was named by the complainant in his supplementary statement. The petitioner had caused injuries to the complainant by firing shots on the complainant. The petitioner has committed heinous offences and the injuries caused to the complainant declared to be dangerous to life are attributed to him. The petitioner does not deserve grant of regular bail. Therefore, the present petition for grant of regular bail to the petitioner may be dismissed.

Keeping in view the facts and circumstances of the case particularly the fact that injuries caused to the complainant declared to be dangerous to life are attributed to the petitioner, gravity of the offence and also the fact that the trial is not likely to take long time and can also be ordered to be expedited but without commenting on the merits of the case, I am of the considered view that the petitioner does not deserve the concession of regular bail. Therefore, the petition is dismissed.

However, the trial Court is directed to expedite the trial and conclude the prosecution evidence preferably within three months from the date of receipt of a copy of this order by ensuring the presence of the prosecution witnesses by issuing coercive process, if so required.

07.12.2019

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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