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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-62305-2018
Date of decision-03.04.2019

Surjit Singh @ Motta

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasdeep Singh, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Surjit Singh @ Motta has prayed for grant of regular bail in case FIR No.94 dated 18.08.2016 under Sections 395, 364-A, 336 and 427 of Indian Penal Code and Sections 25, 27, 54 and 59 of Arms Act and Sections 341, 342, 363 and 365 IPC (added later on) registered at Police Station Ajitwal, District Moga. The petitioner is in custody since his arrest on 13.10.2016.

Learned counsel for the petitioner contends that the trial has not made any headway after framing of charges on 03.10.2017. According to him, in all, there are 09 witnesses and not even a single witness has been examined.

On the other hand, learned State counsel assisted by ASI Sukhchain Singh opposed the bail application. However, it is not disputed that after framing of charges on 03.10.2017, no witness has been examined.

The petitioner is in custody since his arrest on 13.10.2016 i.e. more than two years.

Considering the above background of the case, custody of the petitioner and the pace at which the trial is progressing, which is likely to consume considerable time, this Court is of the opinion that further detention of the petitioner is not justified. Therefore, without meaning any expression of opinion on the merits of the case petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Moga.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

03.04.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No