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

CRM-M-51521 of 2019

Date of decision: December 10, 2019

Dilbagh @ Bagha

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sultan Singh Gill, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail pending trial to the petitioner, in FIR No.167 dated 21.09.2014, under Sections 304, 384, 34 of the Indian Penal Code, 1860, registered at Police Station E Division, District Amritsar.

As per prosecution case, on the basis of supplementary statement of complainant-Lakhbir Kaur, name of the petitioner has been included in the FIR.

Contentends that the petitioner is in custody since 26.07.2018. Also contends that despite order dated 11.04.2019 of this Court passed in CRM-M-53043 of 2018, the trial is still pending and out of total 19 prosecution witnesses, only 5 have been examined.

The above factual position is duly acknowledged by learned State counsel, on instructions from ASI Satender Singh.

Heard both sides and perused the paper-book.

As the petitioner is in custody since 26.07.2018 and out of total 19 prosecution witnesses, only 5 have been examined; thus, the trial will take sufficient long time. Therefore, further incarceration of the petitioner would not serve any purpose.

In view of the above, 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 petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

December 10, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No