

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

Sr. No.201

CRM-M-4585-2020

DATE OF DECISION: July 24, 2020

CHARANJIT SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Tarundeep Kumar, Advocate, for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 102 dated 27.08.2016 registered at Police Station Hathur, District Ludhiana under Sections 302, 307, 324, 148, 149 (Section 326 IPC added later on) and Section 25 of Arms Act, 1959.

2. Learned counsel for the petitioner submits that the petitioner is not a hardened criminal as he is not involved in any other criminal case. In the present case, the petitioner has been in custody for 03 years, 10 months and 12 days as is evident from custody certificate dated 24.07.2020 circulated on the whatsapp group of lawyers who are participating in today's video conferencing. The trial is still at the initial stage as only 01 PW has been partially examined out of a total of 45 PWs. As per the story of the prosecution, the petitioner also had fired at the deceased person but no

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recovery has been effected from him. As a cumulative result, the petitioner deserves to be granted regular bail.

3. Learned State counsel admits that the trial is at the initial stage and that the same may not be concluded at an early date. He states that delay has occurred on account of summoning of additional accused who were declared innocent by the police at the time of submission of challan.

4. Custody certificate dated 24.07.2020 makes it clear that there is no other criminal case pending against the petitioner. He has been in custody for 03 years, 10 months and 12 days and the trial does not seem to be anywhere near conclusion. This in itself, in my considered opinion, entitles the petitioner to grant of regular bail.

5. It may also be noticed that the earlier petition filed for regular bail viz. CRM-M-3937-2018 was rejected as far back as on 15.03.2018. More than two years have elapsed since the rejection of the earlier bail application and the trial has not made any progress.

6. Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

July 24, 2020
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No