

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

207

Crl. Misc.No.M-27513 of 2020

Date of Decision:- 18.09.2020

Rajinder Singh

....Petitioner

vs.

State of Punjab

....Respondent

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Abhimanyu Singh, Advocate,
for the petitioner.

Mr. M.S. Dullat, Addl.A.G., Punjab.

Sudhir Mittal, J. (Oral)

This is the second petition filed by the petitioner for grant of regular bail in case FIR No.37 dated 25.08.2016 registered at Police Station Banga, District Shaheed Bhagat Singh Nagar, under Sections 302, 324, 506 and 34 IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody for over four years. The trial is not likely to be concluded at an early date as only 16 witnesses out of 22 witnesses have been examined. Examination of the remaining witnesses within a short period is unlikely on account of the ongoing COVID-19 Pandemic. Thus, the petitioner may be released on regular bail.

Custody certificate dated 18.09.2020 produced in Court is taken on record. According to this certificate, the petitioner has undergone actual custody of 04 years and 18 days and there are two other criminal cases

pending against him, in which he is on bail.

Learned State counsel concedes that under the circumstances the trial may not be concluded at an early date.

Thus, it is apparent that the trial is not likely to be concluded at an early date. The petitioner has been in custody for 04 years and 18 days and the fact that the earlier petition was dismissed as withdrawn on 27.02.2019 would not come in the way of the petitioner because in the said order, it was noticed that all prosecution witnesses had been examined. The said statement was obviously erroneous as today learned State counsel, on instructions from ASI Ram Pal, has conceded that six witnesses remain to be examined.

In view of the above, 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.

September 18, 2020
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

No