

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

CRM-M- 23699-2020 (O&M)

Date of Decision: March 31, 2021

(Heard through VC)

Sukhnam Singh alias Satta alias Manpreet

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner pending trial in case FIR No. 177 dated 01.07.2019 under Sections 302, 201 and 34 of Indian Penal Code registered at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar.

Learned counsel for the petitioner contends that the petitioner has been wrongly implicated in the present case and there is no direct evidence to link the petitioner with the commission of the said offence. It is contended that the material witness i.e. the complainant has already been examined and the *zimni* orders passed by the trial Court would reflect that the remaining witnesses who have been summoned time and again have not

been putting in appearance. They had been summoned for 26.03.2021 through bailable warrants, however, on the date so fixed again, they were not present as noticed in the order as passed by the Additional Sessions Judge. It is further contended that the petitioner herein is in custody since 15.07.2019, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature.

I have heard learned counsel for the parties.

The trial is likely to take some time as in total 28 witnesses have been cited to be examined by the prosecution. The petitioner herein has been in custody since 15.07.2019 whereas statement of the complainant alone has been recorded. No useful purpose would be served in keeping the petitioner behind bars any longer. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

March 31, 2021
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No