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

**CRM-M-26393-2020
Date of Decision: 12.01.2021**

Rajwinder Singh @ Raju @ Fuji

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Nirmaljeet Singh Sidhu, Advocate,
for the petitioner.

Mr. A.A. Pathak, Addl. A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition for regular bail filed under Section 439 Cr.P.C. on behalf of the petitioner in case FIR No.90 dated 02.10.2016, under Sections 302, 148, 149 & 120-B of the IPC, registered at Police Station Kot Fatta, District Bathinda.

[2]. Seen copies of the zimni orders passed by the Ld. Additional Sessions Judge/JSC/Special Judge, Bathinda on 07.12.2020, 21.12.2020 and 04.01.2021, which have been sent up in compliance of the previous order passed by this Court on 27.11.2020. It transpires that the matter is now at the stage of defence evidence and arguments, and the next date fixed for that purpose happens to be 19th of this month.

[3]. It is, therefore, clear that entire evidence from the prosecution side has already been completed in the case.

[4]. In such circumstances, there is no justification to release the petitioner on bail at this stage solely on the ground of his period of

incarceration since he is otherwise specifically named as one of the assailant, who had attacked the deceased Kulwinder Singh at the relevant time. The present petition is, therefore, dismissed. It is however made clear that after completion of trial, the Ld. Trial Court shall pronounce its own decision in the matter independently on the basis of evidence available before it and without in any manner being influenced by any observation made in this order.

12.01.2021

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No