

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

237

CRM-M-21511-2022 (O&M)

Date of Decision: 06.12.2022

GURBAJ SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rahul Arora, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.294 dated 11.11.2021, registered under Sections 307, 341, 323, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station Sadar Fazilka, District Fazilka.

Short reply by way of an affidavit dated 05.12.2022 of the Deputy Superintendent of Police, Sub-Division Fazilka, filed on behalf of the respondent-State, in the Court, is taken on record.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case and that the petitioner has been in custody since 12.11.2021. He further submits that there is no specific allegations against the petitioner and that the prosecution agency has already prepared the cancellation report, which is pending approval of the higher officials concerned and that there is no incriminating evidence against the petitioner.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner and the fact that cancellation report has been prepared in the present case and the same will be presented before the Court concerned, after approval from the higher officials. He, however, submits that prosecution evidence is yet to conclude.

I have heard the learned counsel for the parties.

As noticed above, the cancellation report has already been prepared in the present case and the same will be presented before the Court concerned, in due course of time. The petitioner has been in custody since 12.11.2021. Prosecution evidence is yet to conclude. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

06.12.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*