

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

CRM-M-41505 of 2018 (O&M)

DECIDED ON: 18th April, 2022

Daler Singh @ Dalera

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ashish Aggarwal, Advocate for petitioner.

Mr. Amit Mehta, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This petition was filed seeking regular bail in case of FIR No. 219 dated 8.10.2017, under Sections 307, 324, 148, 149 read with Section 34 IPC, 1960, and under Sections 25/27 of Arms Act, 1959, registered at Police Station City Tarn Taran, District Tarn Taran.

On 14.11.2019, following order was passed:

"Report of trial Court has been received, which states that after presentation of challan till date the prosecution has examined only one witness in part.

The petitioner was arrested in this case on 29.04.2018 and is in custody for the last more than 18 months.

Keeping in view above facts, petitioner is ordered to be released on interim bail till next date of hearing on his furnishing bail bond and surety bond to the satisfaction of concerned trial Court/CJM/duty Magistrate with direction that defence counsel will co-operate with trial Court by cross-examining the witnesses on the day their examination-in-chief is recorded.

List on 27.01.2020.

Further report of trial Court be called."

Learned counsel for the petitioner submits that there is no progress in the trial and there is no allegation that the interim bail granted has been mis-utilized.

Learned State counsel on instructions is not in a position to factually dispute the contention made by learned counsel for petitioner.

Considering the facts and circumstances of the case in totality, there is no mis-utilization of interim bail and no substantial headway in the trial, the petitioner is granted regular bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Needless to say that the State would be at liberty to avail remedy in accordance with law if there is change in circumstance.

18th April, 2022

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>