

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

CRM-M-31417-2021 (O&M)

Date of decision: 12.05.2022

Kulbir

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. S. P. S. Sidhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 141 dated 17.06.2020, registered under Sections 452, 323, 148, 149 of the IPC (Sections 325 and 307 of the IPC added later on) at Police Station Lambi, District Shri Muktsar Sahib.

Learned counsel for the petitioner submits that the petitioner is in judicial custody for the last about one year and he is not involved in any other case.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered on the statement of one Satnam Singh, the petitioner has given a spade blow from its reverse side to Bagicha Singh, who is the father of the complainant, which struck on the right side of his

head.

Learned counsel for the petitioner further submits that the investigation; challan stands presented; charges have been framed and conclusion of trial is likely to take a long time as out of total 24 prosecution witnesses, none has been examined so far.

Learned State counsel has filed the custody certificate and has not disputed the factual position. As per custody certificate, the petitioner is in judicial custody for the last about one year and he is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last about one year; he is not involved in any other case and conclusion of trial is likely to take some as out of total 24 prosecution witnesses, none has been examined so far, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqia Magistrate, concerned.

12.05.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No