

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.213

CRM-M-6084-2023 (O&M)
Date of decision : 10.02.2023

Darshan Singh @ Raja Kan Wadda

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Hitesh Chopra, Advocate, for the petitioner.

Mr. Harkanwarjit Singh, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.113 dated 05.05.2016, registered at Police Station Sultanwind, District Amritsar, under Sections 302, 307, 148, 149, 120-B IPC and Sections 25 & 27 of the Arms Act, 1959.

Learned counsel for the petitioner submits that the petitioner is not accused of having committed any overt act in the incident. He has been in custody for more than 6 ½ years and that the trial is not likely to be concluded at an early date as 12 PWs out of a total of 75 PWs have been examined. Although, there are pending criminal cases against the petitioner that in itself would not be enough to deprive the petitioner of his liberty in the present case. Thus, the petitioner may be granted regular bail.

Custody certificate dated 09.02.2023 checked by Sh. Rahul Chaudhary, Officiating Deputy Superintendent, New District Jail, Nabha has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 06 years, 08 months and

Learned State counsel concedes that only 12 PWs out of a total of 75 PWs have been examined till date.

From the above, it is evident that the trial is not likely to be concluded at an early date and keeping in view the custody period undergone by the petitioner, I deem it appropriate to grant regular bail to the him. The petition is allowed and it is directed that the petitioner be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. One of the conditions of bail would that the petitioner would mark his presence on first day of every month in the local police station. He would also not be released if he is in custody in any other criminal case.

(SUDHIR MITTAL)
JUDGE

10.02.2023
Ramandeep Singh

Whether speaking / reasoned	Yes
Whether Reportable	No