

CRM-M-50628-2022
Date of Decision:05.07.2023

Gulab Singh ...Petitioner

VS.

State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S. Shekhawat

Present : Mr. Gurinder Singh Hayer, Advocate
for the petitioner.

Mr. Amish Sharma, Assistant Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.55 dated 04.08.2021 registered under Sections 324, 34, 307 (added later on) of IPC at Police Station Kacha Pacca, District Tarn Taran.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and a recovery of *datar* has been planted on him. Even the investigation is complete and the challan has been presented in the competent Court. Later on, the final report was committed to the Court of learned Sessions Judge and charges have been ordered to be framed on 23.12.2021. The prosecution has relied upon 13 prosecution witnesses in the challan, however, no witness has been examined till date. The petitioner is in custody since 06.08.2021 and his further custody will serve no meaningful purpose. The conclusion of the trial will take quite long time.

On the other hand, learned State counsel has vehemently opposed the present petition by contending that the petitioner is the main accused and he had caused the injury with *datar* on the backside of neck of the injured.

I have heard the learned counsel for the parties and perused the record.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

05.07.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No