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

CRM-M-31041-2024**Date of Decision: 14.08.2024**

Balvir Singh @ Beera

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Shiv Kumar Sharma, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.217 dated 05.12.2023 registered under Sections 323/377 of IPC (Sections 307/325 of IPC added later on), at Police Station Bhawanigarh, District Sangrur,.

2. Learned counsel for the petitioner contends that the present petitioner is 70 years old man, whereas the victim is aged about 35 years. Consequently, the allegations levelled by the complainant are false and highly improbable. Learned counsel further contends that the injured in the present case has already been discharged and is hale and hearty. The petitioner was arrested in the present case on 05.12.2023 and is in custody for the last more than 08 months, but no witness has been examined so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that



serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

5. The petitioner is in custody since last more than 08 months and charge has been ordered to be framed against him. However, no witness has been examined so far and there are no chances of early conclusion of the trial.

6. 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.

14.08.2024.
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(N.S.SHEKHAWAT)
JUDGE

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