

**(2011) 08 P&H CK 0194**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** CRM-M-20446 of 2011

Manpreet Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

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**Date of Decision:** Aug. 18, 2011

**Acts Referred:**

- Criminal Procedure Code, 1973 (CrPC) - Section 319
- Penal Code, 1860 (IPC) - Section 307, 34, 427, 452

**Hon'ble Judges:** Rakesh Kumar Jain, J

**Bench:** Single Bench

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**Judgement**

Rakesh Kumar Jain, J.

This order shall dispose of two petitions namely, CRM-M-20446 of 2011 titled as "Manpreet Singh Versus State of Punjab" and CRM-M-20566 of 2011 titled as "Dalveer Singh @ Preet Versus State of Punjab" as in both the petitions the petitioners have prayed for bail in a pending trial case registered vide FIR No. 38 dated 18.7.2010 under Sections 307, 452, 427/34 of the Indian Penal Code, 1860 (for short "IPC") at Police Station Canal Colony, District Bhatinda.

2. It is submitted by both the learned counsel for the petitioners that the petitioners are in custody since 17.7.2010 and material witnesses of the prosecution namely, Dr. Satish Kumar (PW1) and Seema Rani (PW2) have already been examined. It is further submitted that the trial is not making any headway as proclaimed offender proceedings are going on in respect of Vijay Kumar, who was summoned on an application filed u/s 319 of the Cr.P.C. by the prosecution.

3. On the other hand, learned counsel for the State has submitted that out of seven witnesses two witnesses have already been examined and the case is now fixed for 30.8.2011 for appearance of Vijay Kumar (3rd accused).

4. Both the learned counsel for the petitioners, on instructions received from their clients, stated that neither the petitioners are previous convict nor any other case is

pending against them.

5. Learned counsel for the State has showed his inability to make any statement at this juncture.

6. After hearing learned counsel for the parties but without making any observation on the merits, both the petitions namely, CRM-M-20446 of 2011 titled as "Manpreet Singh Versus State of Punjab" and CRM-M-20566 of 2011 titled as "Dalveer Singh @ Preet Versus State of Punjab" are hereby allowed and petitioners are directed to be released on bail on their furnishing bail bonds to the satisfaction of the trial Court. Liberty is, however, granted to the State counsel to file an application for cancellation of bail in case statement made by both the learned counsel for the petitioners that neither the petitioners are previous convict nor any other case is pending against them is found to be false.

7. A photocopy of this order be placed on the file of another connected case.