

(2011) 04 P&H CK 0309

High Court Of Punjab And Haryana At Chandigarh

Case No: CRM-M No. 8703 of 2011 (O and M)

Ram Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: April 26, 2011

Acts Referred:

- Arms Act, 1959 - Section 25, 27
- Penal Code, 1860 (IPC) - Section 307, 323, 34

Hon'ble Judges: Alok Singh, J

Bench: Single Bench

Final Decision: Allowed

Judgement

Alok Singh, J.

This is an application seeking regular bail in case FIR No. 224 dated 25.12.2010 under Sections 307/323/34 IPC and Sections 25/27/54/59 of Arms Act, P.S. Division No. 8, Jalandhar.

2. Learned Counsel for the Petitioner has argued that fire arm injury is on the leg of the injured. He further argued that Petitioner is in judicial custody w.e.f. 25.12.2010 and till date no prosecution witness has been examined, although prosecution has cited 15 witnesses. Learned Counsel for the Petitioner has relied on the judgment of Hon'ble the Apex Court in the matter of State of Kerala v. Raneef 2011 (1) RCR (Cri) 381, and argued that in the event of refusal of bail, time spent in the jail cannot be restored to the accused, if ultimately the accused is acquitted by the trial Court.

3. Considering totality of the facts and circumstances of the case, present petition is allowed. The Petitioner is directed to be released on bail during the trial to the satisfaction of the trial Court.