

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-16896 of 2015

Date of Decision: September 21, 2015

Inderpal Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.R.K.Handa, Advocate
for the petitioner.

Ms.Simsi Dhir, Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.21 dated 27.03.2010 under
Sections 302, 397, 34 IPC and Section 25 of the Arms Act, registered
at Police Station Hazipur, District Hoshiarpur.

Notice of motion was issued and learned State counsel
appeared and contested the petition.

At the time of arguments, learned counsel for the petitioner
argued that the complainant has given the statement during the trial
showing his suspicion on other accused which creates doubt in the
prosecution version. The complainant himself alleges that these
accused (including petitioner) have been falsely implicated and the
real culprits are other persons.

On the other hand, learned State counsel argued that after the investigation by the Special Investigation Team (SIT), the challan has been presented against present petitioner and co-accused and sufficient evidence has been collected during the investigation and trial is complete before the trial Court.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that complainant is not an eye witness to the occurrence and it is case of circumstantial evidence.

Keeping in view the facts and circumstances of the present case and the fact that trial has already been completed before the trial Court and keeping in view the nature and gravity of offence and without discussing the merits of the case in minute details, I do not find it a fit case where petitioner is entitled to benefit of regular bail. Hence, finding no merit in the present petition, the same is dismissed.

However, nothing stated above will constitute my opinion on the merits of the case.

September 21, 2015
Vgulati

(INDERJIT SINGH)
JUDGE