

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Sr. No.: 248

Date of Decision: *March 16, 2015*

1. **Criminal Miscellaneous No.M-2098 of 2015 (O & M)**

Veer Singh @ Veeru

..... PETITIONER

VERSUS

State of Punjab

..... RESPONDENT

....

2. **Criminal Miscellaneous No.M-2486 of 2015 (O & M)**

Ashu Kumar @ Ashu

..... PETITIONER

VERSUS

State of Punjab

..... RESPONDENT

....

3. **Criminal Miscellaneous No.M-3424 of 2015 (O & M)**

Pardeep Kumar @ Sanjeev Kumar @ Pipa

..... PETITIONER

VERSUS

State of Punjab

..... RESPONDENT

....

CORAM HON'BLE MR. JUSTICE JASPAL SINGH

PRESENT: None.

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1. Whether Reports of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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Jaspal Singh, J

1. This order shall dispose of Criminal Miscellaneous Nos.2098, 2486 & 3424 of 2015 praying for regular bail to the petitioners, pending trial in FIR No.33 dated July 15, 2011, under Sections 364, 302, 201, 120-B, 148, 149 IPC, Police Station, Islamaband, District Amritsar.

2. The petitioners have been nominated as accused in the present case on the basis of extra-judicial confession alleged to have been suffered by Veer Singh @ Veeru, applicant before Rakesh Kumar, telephonically who has already been examined as PW-2, whereas, Kunti, mother of the deceased has been examined as PW-1. Moreover, neither any specific overt act has been attributed to any of the petitioners nor recovery of any article has been effected from any of the petitioners which could connect them with the alleged crime.

3. It would be pertinent to mention here that co-accused of the present petitioners, namely, Sikander @ Lala, Sandeep Kumar @ Bharkila, Vikram Singh @ Vipan and Munish Kumar @ Manna have already been granted concession of bail by this Court vide Annexure P-4 and P-5. The case of the present petitioners is not on different footings than that of the persons who have been granted concession of regular bail by this Court.

4. As far as accused Veer Singh @ Veeru is concerned, it is a debatable question whether any confession made by him through telephone is admissible evidence.

5. No recovery of any weapon has also been effected from any of the accused – applicants. Moreover, they were arrested after a considerable period of the alleged occurrence. Since, co-accused namely Sikander @ Lala, Sandeep Kumar @ Bharkila, Vikram Singh @ Vipan and Munish Kumar @ Manna have already been granted the concession of bail, on the same pattern, present petitioners also deserve similar relief. Accordingly, all the petitions are allowed.

6. The petitioners are ordered to be released on bail subject to furnishing requisite bail/surety bonds to the satisfaction of Trial Court/Duty Magistrate, Amritsar.

7. Any observation made in this order shall have no bearing on the merits of the main case or any other proceeding.

March 16, 2015
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(Jaspal Singh)
Judge