

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

CRM No.M-26794 of 2015

Date of decision: 04.09.2015

Jagjit Singh @ Jaggi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.Vaibhav Narang, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Karamjit Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.214 dated 19.06.2014, registered under Sections 302, 201, 34 of the Indian Penal Code at Police Station Chherretta, Distt. Amritsar City.

It is contended that the petitioner has been falsely implicated at the behest of his father-in-law. The wife of the petitioner went missing, who has not been traced so far. The instant FIR has been registered against the petitioner and his friend, Malkiat Singh. He further refers to the statement of the complainant, who was examined as PW-2 and has not supported the case of the

prosecution. Further states that except the disclosure statement of the petitioner himself, there is no evidence on record to connect the petitioner with the death of the alleged missing person. The co-accused-Malkiat Singh, has been admitted to bail by this Court vide order dated 05.08.2015, passed in CRM-M-25044-2015.

On the other hand, the learned State counsel opposes the prayer of bail. She, on instructions, submits that the trial is in progress and out of twenty three witnesses, fifteen have already been examined.

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

The petitioner is in custody since 19.07.2014. The dead body has not been recovered so far. Eight prosecution witnesses are yet to be examined, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

09.04.2015

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(JITENDRA CHAUHAN)
JUDGE