

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

CRM-M-35543 of 2014

Decided on: February 26, 2015.

Milkha Singh and another

.... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Jaswinder Singh Grewal, Advocate,
for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioners seek concession of bail pending trial in a case registered at the instance of Shashi Prabha that her husband Shami Kumar had left home along with petitioners but he was later on found lying dead in a car.

PW-1 Monti had allegedly last seen the deceased with petitioner No.1 whereas Shashi Prabha had allegedly seen the petitioners with him. She was also witness to a circumstance of last seen. Both the witnesses Monti and Shashi Prabha have been examined as PW-5 and PW-6. Their statements have been made available.

In view of the circumstances of last seen having not been established by the said witnesses, it will certainly be a debatable issue whether the circumstances in the present case constitute a complete chain establishing that petitioners and none else are guilty of the crime, the main witnesses having turned hostile.

Petition is allowed. Petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

February 26, 2015
harsha