

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.36606 of 2015

Date of Decision:-19.11.2015

Jatinder Pal Singh @ Sonu.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. B.D. Sharma, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
along with ASI Devinder Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Jatinder Pal Singh @ Sonu in case FIR No.16 dated 26.03.2011 for offences punishable under Sections 460, 459 of Indian Penal Code and later on added Sections 302 and 397 of Indian Penal Code registered with Police Station Mehta, District Amritsar Rural.

The deceased Balkar Singh and his injured wife-Parkash Kaur were assaulted on the intervening night of 24/25.03.2011 at their house, by the petitioner-accused, who is the nephew of the deceased Balkar Singh, the wife Gagandeep Kaur of the petitioner and *Saala* of the petitioner-accused.

The motive of the offence is refusal to pay a sum of Rs.8 lacs due towards Gurcharan Singh, son of the deceased and Parkash Kaur, who

is a resident of Italy, on account of rendering help to one of the relatives of the petitioner/accused for taking him to Italy. The complainant is the daughter of the deceased and injured-Parkash Kaur.

It is contended that initially the FIR was against unknown persons and even the injured/Aunt-Parkash Kaur after one month of discharge from the hospital had named the accused persons as the assailants for ulterior purposes. It is next contended that even on inquiry by an Officer of the rank of Supdt. of Police, the petitioner-accused was found innocent.

Be that as it may, it is further contended that the petitioner is in custody since 09.05.2014 and the injured Parkash Kaur for the last one year has chosen not to appear and offer her testimony. He further submits that co-acused Harjinder Singh @ Hari has also been granted regular bail by this Court.

Learned State Counsel on instructions from ASI Devinder Singh is unable to refute the position regarding the custody period of the petitioner.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Amritsar.

(JASWANT SINGH)
JUDGE

November 19, 2015
Vinay