

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

***CRM No.M-10410 of 2016 (O&M)
Date of Decision: 06.05.2016***

Sarabjit Singh @ Laddi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:-HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. J.S. Thind, Advocate for the petitioner.
Ms. Manpreet Dhaliwal, AAG, Punjab.
....

TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.97 dated 02.09.2000, under Sections 364/302/201 IPC, registered at Police Station Goindwal Sahib, District Amritsar.

Counsel for the parties have been heard.

FIR in question came to be lodged on 02.09.2000. Deceased in the present case is Gurditpal Singh. Name of the present petitioner did not even figure in the FIR.

Challan was presented in the year 2012.

The present petitioner has been summoned to face trial as an additional accused by virtue of an application under Section 319 Cr.P.C. having been allowed by the trial Court vide order dated 02.12.2015.

Petitioner was arrested on 23.12.2015.

Perusal of the summoning order would reveal that the statement of the complainant Bhagwant Singh was recorded on 11.02.2015 and as per which it was alleged that the deceased was last seen in the company of the present petitioner.

It is a case of circumstantial evidence.

It has gone uncontroverted that the other four accused and who had been duly challaned, have been granted benefit of regular bail.

Even prosecution witnesses, namely, Gurbinder Singh, PW12 and Nirmal Singh, PW2 have not supported the prosecution version.

Under such circumstances and without making any observations on merits, the petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Amritsar.

Disposed of.

06.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**