

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

CRM-M-13948-2016

Date of decision : 15.09.2016

Parminder Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. SPS Sidhu, Advocate
for the petitioner.

Ms. A.K.Khurana, Addl. A.G., Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.165 dated 24.09.2014 registered under Sections 302, 201 IPC and Sections 25/27 of the Arms Act, at Police Station-Dorana, District Khanna.

Learned counsel has argued that as per the allegations, the petitioner was a good friend of the deceased and had told him that he would take him abroad free but he should collect 4-5 paying persons also . The

deceased collected 4-5 persons and they sent a huge amount of money

to the petitioner. Then the petitioner came back to India and visited the house of the deceased. Thereafter the petitioner, his wife and deceased talked in a closed room for some time and then the petitioner and his wife left the house. The deceased told his brother that the petitioner had taken his revolver. After getting a phone call from the petitioner, the deceased went in car to collect the papers of visa. Subsequently, the dead body (with 3 bullets injuries) of the deceased was recovered from the G.T. Road in his car. In these circumstances, the complainant expressed the apprehension that the petitioner had killed the deceased.

Learned counsel for the petitioner has argued that apart from the apprehension, the only evidence was extra judicial confession made before one Sanjay Ghai but Sanjay Ghai as PW3 has not supported the version of the prosecution and there is no other evidence against the petitioner. He stated that the petitioner has been in custody since 27.09.2014.

Learned DAG is not in a position to deny the fact that the sole substantive witness was Sanjay Ghai and he has not supported the version of the prosecution.

In the circumstances, without commenting on the merits of the case and keeping in view the period of custody, I deem it appropriate to release the petitioner on regular bail. Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands allowed.

September 15, 2016
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No