

CRM-M-22313-2016

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

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Date of Decision: 22.11.2016

Gagandeep Singh @ Ghora

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vivek Goel, Advocate,
for the petitioner.

Mr. P.S.Grewal, Deputy Advocate General, Punjab.

Mr. Ish Puneet Singh, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner, Gagandeep Singh @ Ghora has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.03 dated 09.01.2015, registered at Police Station Longowal Sangrur, District Sangrur, under Sections 302, 201, 379, 411 and 120-B of the Indian Penal Code.

Notice of motion was issued. Learned State counsel put in appearance on behalf of the respondent-State and the complainant also

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appeared through his counsel. They contested this petition.

I have heard learned counsel for the petitioner; learned State counsel as well as learned counsel for the complainant and have gone through the record.

Learned counsel for the petitioner argued that there is no direct or circumstantial evidence against the present petitioner. He has not got recovered any incriminating article connecting him with the crime. There is neither any last seen evidence nor extra judicial confession made by the present petitioner. He further argued that disclosure statement of co-accused is only against him and co-accused has not to appear as a witness against him.

From the record, I find that the present petitioner has not been named in the FIR. He has been nominated mainly on the basis of disclosure statement of co-accused. The petitioner is in custody since 19.01.2015. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of

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₹50,000/- with two sureties in the like amount each to the satisfaction of
the trial Court/Duty Magistrate.

22.11.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No