

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

CRM-M No. 2850 of 2016 (O&M)

Date of Decision: 24.02.2016

Manjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sanjeev Manrai, Sr. Advocate, assisted by
Mr. Gaurav Talwar, Advocate
for the petitioner.

Mz. Rimplejeet Kaur, AAG, Punjab
for the respondent/State assisted by HC Parwinder Singh.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the accused/petitioner in case FIR No. 64, dated 23.03.2014, for offences punishable under Sections 302/149 of the Indian Penal Code (Section 302 converted to Section 304 in the final report under Section 173 Cr.P.C.), registered at Police Station Sohana, District SAS Nagar.

Present accused/petitioner-Manjit Singh, co-accused/non-applicant-Darbara Singh and the deceased-Piara Singh, for whose death, they have been charged under Section 304, Indian Penal Code.

It is contended that identically placed co-accused/non-applicant-Darbara Singh has since been enlarged on bail by a detailed order dated 11.01.2016 passed by this Court (Annexure P-5). It is further submitted that the petitioner is in custody since 01.05.2014 and almost the entire evidence of the prosecution is over. Thus, prayer is for grant of regular bail on parity of treatment.

Learned State Counsel, assisted by HC Parwinder Singh, is unable to refute the custody period as also the fact that the rest of co-accused all have been enlarged on bail. She further states that only the cross-examination of the complainant is pending.

Without commenting on the merits of the case, keeping in view the facts noticed above; parity of treatment and custody period of the petitioner, no useful purpose would be served by keeping the petitioner/accused in custody, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate, SAS Nagar, Mohali.

February 24, 2016

'dk kamra'

(JASWANT SINGH)
JUDGE