

CRM-M No.29022 of 2016 (O&M)

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

**C.R.M. No.29639 of 2016 in/and
C.R.M-M No.29022 of 2016
Date of Decision : 28.09.2016**

Harbans Singh @ Chhinda

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. K.B.S. Mann, Advocate
for the applicant-petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

AJAY TEWARI, J. (Oral)

C.R.M. No.29639 of 2016

For the reasons recorded, the application is allowed subject

to all just exceptions. Documents (Annexures P-2 to P-4) are taken on

record.

C.R.M-M No.29022-2016

This is a petition which has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.63 dated 05.05.2016, registered under Sections 302, 201, 34 IPC, at Police Station Dialpura, District Bathinda.

As per the FIR the secret informer informed the police that 12 days earlier i.e. on 23.04.2016 he had seen the petitioner chasing his daughter and saying that he was going to kill her because she had disowned him and thereafter the petitioner caught hold of her and took her inside. Subsequently it transpired that the girl actually died.

Learned counsel for the petitioner has argued that in this case the alleged eye witness is not in the list of witnesses and the only reason why the petitioner has been booked is because of an extrajudicial confession in front of three persons and now those three person have been declared hostile. He has further argued that the petitioner has been in custody for almost 5 months.

Learned Additional Advocate General on instructions from ASI Iqbal Singh has accepted these factual assertions.

In the circumstances, keeping in view the above facts and

the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court/Duty Magistrate.

Ordered accordingly. Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

September 28, 2016
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(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No