

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

CRL. MISC. No.M-32241 OF 2016
DATE OF DECISION : 29th SEPTEMBER, 2016

Gurpreet Singh @ Sonu

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Gurbhajneek Singh Samra, Advocate for the petitioner.
Ms. Rimplejeet Kaur, AAG, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.45 dated 28.06.2015 registered under Sections 302, 201 & 34 IPC at Police Station City Budhlada, District Mansa.

Heard learned counsel for the rival parties.

The petitioner was arrested in this case on 27.07.2015 and since then he is in jail.

I have perused the interim order so also the FIR with the assistance of counsel for the rival parties.

It is not in dispute as also stated by learned State counsel that *corpus delicti* is still not traced out. In that view of the matter, the evidence i.e. pointed out by learned counsel for the State is that upon disclosure statement made by the petitioner the cloths of the deceased were found near the canal as body must have been thrown in the canal but the body could not be found. There is no other evidence against the petitioner but there is an extra judicial confession.

Learned counsel for the petitioner submits that the person, to whom extra judicial confession is said to have been given, turned hostile before the court.

In view of the above, the petitioner is entitled to the bail. Accordingly the bail petition is allowed.

Bail to the satisfaction of the concerned trial Court/CJM.

29th SEPTEMBER, 2016
‘raj’

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned : *Yes* *No*

Whether Reportable : *Yes* *No.*