

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

(212-1)

CRM-M-33845-2015

Decided on: April 29, 2016.

Resham Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

(2)

CRM-M-33862-2015

Decided on: April 29, 2016.

Rajesh Joshi

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. S.S. Rangi, Advocate,
for the petitioner in both the cases.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

This order will dispose of two applications for grant of bail, one (CRM-M-33845-2015) filed by Resham Singh and the other (CRM-M-33862-2015) filed by Rajesh Joshi in FIR No.10 dated 18.01.2014, under Section 302 IPC and Section 25 and 27 of the Arms Act on the charges of having murdered Sushil Joshi and Mohinder Singh.

Learned counsel for the petitioners has contended that the petitioners have been in custody w.e.f. 24.07.2014 and that only two witnesses out of thirty two witnesses have been examined. It has been argued that the petitioners have also been involved in the case of murder of Jagir Singh after they having been arrested in this case which indicates the mala fide of the prosecution agency.

I have heard learned counsel for the petitioners.

On account of serious allegations of having murdered Sushil Joshi and Mohinder Singh for a motive which is connected to the motive in another case FIR No.42 dated 30.05.2013 in which the petitioners have been granted bail on account of one of the prosecution witnesses having not supported the case of prosecution in that case, there appears to be a strong motive for the three murders which is yet to be established by the prosecution agency by producing cogent evidence. Merely because, the petitioners have been granted concession of bail in the case registered against them at Pathankot on the basis of confessional statement, the petitioners cannot be granted benefit of bail in the present case, no ground is made out to grant concession of bail to the petitioners in the present case.

Both the petitions are dismissed.

However, it is deemed appropriate in the present case to suggest the trial Court to expeditiously dispose of the case by giving short dates. It will be appreciated, in case the trial Court makes earnest endeavour to record the statements of the remaining prosecution witnesses within a period of six months from the next date of hearing fixed before it.

Nothing said in this order will prejudice the right of the petitioners while adjudicating the culpability of the petitioners on merits. It is also observed that nothing said in the order granting bail to the petitioners in case of murder of Jagir Singh, will, in any manner, prejudice the right of the prosecution at the time of final decision of this trial or the trial in connected case FIR No.42 dated 30.05.2013 at Pathankot.

(M.M.S. BEDI)
JUDGE

April 29, 2016
harsha