

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11255-2017

Date of decision : 05.05.2017

Sandip Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. AMOL RATTAN SINGH

Present: Ms. Monita Mehta, Advocate, for the petitioner.

Mr. Rajesh Mehta, Additional Advocate General, Punjab,
for the respondent-State.

AMOL RATTAN SINGH J. (ORAL)

This petition has been filed under Section 439 Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No.42 dated 16.05.2015, registered at Police Station Fattudhinga, District Kapurthala, for the alleged commission of an offence punishable under Sections 302 and 201 of the Indian Penal Code.

As recorded in the order dated 06.04.2017, the contention of learned counsel for the petitioner was that the petitioner was only connected with the crime in view of the fact that he was related to one Jagtar Singh, whose wife was allegedly having an illicit relationship with the deceased, Mukhtiar Chand.

The Senior Superintendent of Police, Kapurthala, had been directed to ensure that the investigating officer, i.e. SI Narinder Kumar, duly appeared before the trial Court for examination on 15.04.2017, pursuant to which he is stated to have appeared and as recorded in the order of 25.04.2017 passed by this Court at that stage, his examination-in-chief had been conducted, with only cross-examination left. Today, learned State

counsel, on instructions from the police official who has come present to assist him, submits that that has also been conducted.

Thus, with the material witnesses all having been examined as per learned State counsel on instructions, only formal witnesses are left, who are stated to be 07 in number. Hence, I consider it appropriate, in view of the aforesaid circumstances, to admit the petitioner to bail, upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

However, it is made clear that nothing observed herein will be taken to be a comment on the merits of the case, for or against the petitioner, which would naturally be gone into by the trial Court after appraisal of the evidence led before it.

05.05.2017
adhikari/rajneesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether Reportable : *Yes/No*