

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-16016-2017

Date of decision : 12.05.2017

Jiwan Singh

... Petitioner

Versus

The State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms.Kamaldeep Kaur, Advocate
for the petitioner.

Mr. K.S. Pannu, DAG, Punjab.

AMOL RATTAN SINGH, J.(ORAL)

Learned counsel for the petitioner contends that in the FIR no one having been named and the petitioner having been arrested simply on the basis of an extra judicial confession subsequently alleged to have been made before one Jagroop Singh, and he having already been in custody for about 9 months, he deserves the concession of bail.

She has also relied upon a judgment of a co-ordinate Bench in ***Raj Bala vs. State of Haryana, 2016(3) R.C.R. (Criminal) 366***, contending that in similar circumstance, the petitioner in that case had been admitted to bail.

From a perusal of that order, it is seen that in that case there is no contention with regard to any extra judicial confession, but the petitioner therein was sought to be arraigned as an accused on her own disclosure statement before the police.

Learned State counsel, on instructions, submits that other than the fact that the petitioner is stated to have got recovered the weapon of offence, i.e. the scissor by which the victim is stated to have been killed, he was also produced, and was arrested on such production, by the person before whom he is stated to have made an extra judicial confession.

The said material witness, i.e. Jagroop Singh, is stated to have not been examined before the trial Court as yet.

Keeping in view the above but without making any comment on the contentions made on either side, I do not consider it appropriate to entertain this petition at this stage.

Dismissed, at this stage.

(AMOL RATTAN SINGH)
JUDGE

May 12, 2017.
Davinder Kumar

Whether speaking / reasoned	Yes
Whether reportable	No