

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19567 of 2017
Date of decision : 02.06.2017

Major Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. AMOL RATTAN SINGH

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

Mr. K.S.Pannu, Deputy Advocate General, Punjab.

AMOL RATTAN SINGH J. (ORAL)

The petitioner is stated to be one of those named as a co-accused (not the prime accused) in the FIR registered for the alleged commission of an offence punishable under Section 302 of the Indian Penal Code, whereby one Mukhtiar Chand has died, the allegation being that he had been done to death on account of his alleged illicit relationship with the wife of co-accused Jagtar Singh.

Learned State counsel submits that the petitioners' mobile phone is stated to have been used in the call made by Amandeep Kaur to Mukhtiar Chand on the date of occurrence.

However, learned counsel for the petitioner points to the testimony of PW3, HC Charanjit Singh, Incharge of the Computer Cell in the office of the SSP, Kapurthala, to submit that the said witness had testified that he did not know the name of the actual user of that particular mobile number.

Keeping in view the above, but without making any comment

on the actual involvement of the petitioner in the crime stated to have been committed, seen that he has been in custody for more than two years now, as per the custody certificate filed by the learned State counsel in Court today, with the trial still not near conclusion, but with the material witnesses all having been examined, this petition is allowed. The petitioner is ordered to be admitted to bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

However, it is made clear that nothing observed herein-above will be taken to be a comment on the merits of the case, which would be gone into by the trial court upon appraisal of the evidence led before it.

02.06.2017
adhikari

(AMOL RATTAN SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>