

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

204

CRM-M-23432-2017

Decided on: 17.07.2017

Harmeek Singh @ Harmeet Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

SUDIP AHLUWALIA, J (ORAL)

The petitioner, who is a Proclaimed Offender in the Sessions case arising out of FIR No.81 dated 30.09.2012 of Police Station Qadian, District Gurdaspur, was arrested on 24.05.2017. It is his case that after having been cleared in the earlier investigations, he had gone to Dubai in connection with his job. He was, however, declared a P.O. on 16.03.2015 as his presence could not be secured in pursuance of an order subsequently passed by the Ld. Additional Sessions Judge in an application under Section 193 of the Cr.P.C. on 19.08.2014. Petitioner thereafter visited India on 22.03.2017 and was arrested by the police on the date noted above.

The petitioner now prays for his release on regular bail.

Heard both sides.

Perused the Post Mortem Report of the deceased victim as also the detailed judgment passed by the Ld. Additional Sessions Judge, Gurdaspur, in Sessions Case No.14 of 25.01.2013. Admittedly, the Post Mortem Report did not disclose any external injuries on the victim's person.

The three other accused persons, who were also directly named in the FIR

as the active culprits in the alleged murder of the victim, have all been acquitted by the Ld. Trial Court in its detailed judgment passed on 21.01.2017 on the basis of elaborate evidence. The petitioner's own role, therefore, would also appear to be broadly covered within the ambit of the reasonings referred to in the aforesaid judgment acquitting the remaining accused persons.

For these reasons, without commenting upon the merits of the matter, as might emerge during the forthcoming trial of the petitioner, this Court, nevertheless, is of the opinion that he deserves to be released on bail in the given facts and circumstances.

Ordered accordingly with a direction upon Trial Court/Area Magistrate, Gurdaspur to enlarge the petitioner on bail, subject to imposition of appropriate terms and conditions including surrender of his passport.

(SUDIP AHLUWALIA)
JUDGE

17.07.2017
Dinesh