

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

**CRM NO. M-36730 of 2017
DECIDED ON : 06.10.2017**

Karam Singh @ Kala @ Kuka

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Monty Goyal, Advocate,
for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 42 dated 07.08.2011 under Section 304 IPC, registered at Police Station Daresi, District Ludhiana.

Learned counsel for the petitioner contends that although petitioner is named in the FIR, but no specific role has been assigned to him. It is alleged in the FIR that Sukhwinder Singh-son of the complainant, was having illicit relations with Manjit Kaur and she had got him killed with the help of other accused, including the petitioner.

Learned counsel further contends that FIR was registered after two years of the alleged occurrence which took place on 17.05.2009. He also contends that the petitioner had earlier been declared as a proclaimed offender as he had been served at an address in Amritsar, while he was residing in

Ludhiana and was not aware of the case. It is further contended that similarly situated co-accused namely Amarjit Singh has been acquitted by the trial Court by the judgment dated 02.01.2013 (Annexure P-3), wherein all the material prosecution witnesses including Kulwant Kaur-complainant, Ajit Singh-father of the deceased and Jasbir Kaur-sister of the deceased, have denied the occurrence. Copies of the statements of these witnesses have been appended as Annexure P-2 (colly). The petitioner is in custody for over 11 months ever since the date of his arrest on 02.11.2016.

Learned State counsel, upon instructions from ASI Gurwinder Singh, states that challan has been filed on 23.01.2017, but no witness has been examined in the case.

In view of the submissions of learned counsel for the petitioner and taking into consideration that petitioner is in custody for over 11 months and the conclusion of trial is likely to take some time, I deem it appropriate to grant the concession of regular bail to the petitioner. Consequently, the petition is allowed. Petitioner Karam Singh @ Kala @ Kuka is ordered to be released on regular bail on his furnishing bonds with adequate security to the satisfaction of trial Court/Duty Magistrate.

(ANUPINDER SINGH GREWAL)
JUDGE

OCTOBER 06, 2017

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| 1. | Whether speaking/reasoned : | YES/NO |
| 2. | Whether reportable : | YES/NO |