

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

**Criminal Misc. No.M-40060 of 2017(O&M)
Date of Decision: December 06, 2017.**

Karanjit Singh

Petitioner.

Versus

State of Punjab and another

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.R.S.Chauhan, Advocate
for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No 106 dated 22.07.2017, under Sections 306, 364 IPC, registered at Police Station Balachaur, District S.B.S. Nagar.

It is submitted that the petitioner is not named in the FIR. He is sought to be inculpated merely on the basis of the statement of a classmate of the deceased girls to the effect that one of the deceased used to chat frequently with the present petitioner. It is argued that there is nothing on record against the petitioner which constitutes an offence punishable under Sections 306, 364 IPC. Learned counsel for the petitioner submits that the details of the chat/ messages between the petitioner and the said deceased do not in any manner indicate the petitioner to be involved in the said offences. The complainant in this case it is submitted is not coming forward to support the prosecution case. It is thus prayed

that this petition be allowed.

Learned counsel for the State has produced the said chat/ messages between the petitioner and one of the deceased. It is not denied that the petitioner is sought to be inculpated on the basis of the statement of a classmate of the deceased to the effect that the petitioner and one of the deceased used to communicate with each other. The petitioner is not reported to be involved in any other criminal case. No recovery is to be effected from him. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by petitioner-Karanjit Singh, is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

06.12.2017
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.