

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

Sr. No.201

CRM No.M-40490 of 2017
DECIDED ON: December 14, 2017

MOHAMMED ALAM @ TALLU

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

Ms. Akanksha, Assistant Advocate General, Punjab.

JASPAL SINGH, J. (ORAL)

Through the instant petition, preferred under Section 439 Cr.P.C., petitioner has sought the grant of bail in case bearing FIR No. 15, dated 01.02.2016, under Sections 302, 120-B, 201 & 34 IPC, registered at Police Station Amargarh, District Sangrur, during the pendency of trial.

2. Undisputably, the name of the petitioner does not figure in the FIR, which was also got registered after about one week of the alleged incident. Initially after the incident, the proceedings under Section 174 Cr.P.C. were carried out and subsequently, FIR was registered on the basis of statement of Jarnail Singh, father of Karamjit Singh-deceased against his daughter-in-law Kuldeep Kaur and Haleem Khan @ Jaggu alleging that Kuldeep Kaur devolved illicit relations with Haleem Khan @ Jaggu and they committed the murder of Karamjit Singh.

CRM No.M-40490 of 2017

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3. However, only allegation against the petitioner is that he helped the co-accused Haleem Khan @ Jaggu to clean blood spots/stains from the floor of the tubewell, where the murder is alleged to have been committed. In fact, there is no specific allegation against the petitioner that he was present at the time when alleged occurrence took place or facilitated the commission of murder of Karamjit Singh. Moreover, petitioner was arrested in this case on February 07, 2016 and after subjecting him to custodial interrogation, he was remanded to judicial custody. For the last about more than one year & ten months, petitioner is cooling his heels behind the bars. Moreover, complainant as well as other material witnesses have though been examined yet trial is not going to be culminated in the near future and would certainly take sufficient time.

4. Taking into consideration the aforesaid aspects and without expressing any opinion on the merits of the case, instant petition stands allowed. Petitioner is ordered to be released on bail to the satisfaction of the trial Court subject to the condition petitioner should not leave India.

December 14, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**