

CRM-M-40684-2017

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

CRM-M-40684-2017

Date of Decision: 09.11.2017

Mandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. H.S.Brar, Advocate,
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Deepak Gupta, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Mandeep Singh has filed this 2nd petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.134 dated 22.06.2012, registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib, under Sections 303, 302, 212, 213, 201, 216, 174-A, 380, 420, 403, 424, 467 and 120-B of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared on behalf of respondent-State and complainant has also appeared through his counsel. They contested the instant petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

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Perusal of the record shows that occurrence took place on 08.01.2012, however, FIR was registered on 22.06.2012. Deceased- Manmohan Kaur was stated to be 90 years old, who died in CMC Hospital, Ludhiana and there is no post-mortem report. Out of 62 prosecution witnesses, about 40 witnesses are stated to be examined. Even perusal of the FIR shows that the complainant stated that deceased- Manmohan Kaur had died in suspicious circumstances on 08.01.2012.

The petitioner has been in custody since 05.10.2012. He is not required for any investigation or interrogation purposes as he is in judicial custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail; without expressing any opinion on the merits of the case; in view of the custody period of more than 05 years already undergone by the present petitioner and the fact that conclusion of trial will take a long time, I find that no useful purpose will be served by further keeping the petitioner in custody. Therefore, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

09.11.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No