

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-5117 of 2017

Date of Decision: 14.03.2017

Randhir Singh @ Dheera

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 30 dated 29.04.2016 registered for offences punishable under Sections 364, 302, 201 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Cheema, District Sangrur.

Heard.

Learned counsel for petitioner submits that the FIR was registered on the basis of secret information with the allegation that petitioner has kidnapped Harwinder Singh and later on murdered him in the year 2011.

Case of persecution was based on extrajudicial confession made by the petitioner before Bhola Singh, Darshan Singh and Roop Singh. All the three witnesses have since been examined by the prosecution and they have not supported the prosecution version.

Learned State counsel submits that case of the prosecution was

based on testimonies of aforesaid witnesses, who have since been examined and turned hostile.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Randhir Singh @ Dheera is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

March 14, 2017
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No