

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

**CRM-M No. 9733 of 2017
Date of Decision: 17.8.2017**

Sandeep Singh @ Sonu and others **.....Petitioners**

v.

State of Punjab **.....Respondent**

CORAM HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present:- Mr. Rishu Mahajan, Advocate, for the petitioners
Mr. RBS Chahal, Addl. AG, Punjab

SHEKHER DHAWAN, J.

Present petition under Section 439 Cr.P.C. is for regular bail of the petitioners in FIR No. 263 dated 29.6.2016 under Sections 302/34/120B IPC, registered at Police Station Civil Lines, Amritsar.

Learned counsel for the petitioner contended that the petitioners have been falsely implicated in this case. In fact, petitioner No.1 Sandeep Singh @ Sonu had reported the matter to the police and the assailants of the case were unidentified persons. Lateron, Meenu wife of Ranjit Singh made a statement before the police that Sandeep Singh is the real accused as he had an evil eye on her and he had committed the offence of murder in this case and thereafter, reported the matter to the police with incorrect facts. However, the said witness, namely; Meenu has been examined as PW1 before the learned Court below and not supported the prosecution case. Similarly, PW 2- Balwinder Singh and PW6 Rajiv

Dhawan have also been examined but not supported the prosecution case and the case is based upon circumstantial evidence only. The petitioners are in custody since 9.7.2016; decision of the case still to take some more time, so they may be released on bail.

Learned State counsel affirmed the fact that PW1 Meenu as well as PW2-Balwinder Singh and PW6 Rajiv Dhawan have not supported the prosecution case and they are the main witnesses of the prosecution. However, he opposed the bail application.

Having considered the above facts and the fact that the present case is based on circumstantial evidence and the material witnesses of the case have already been examined and not supported the prosecution version. The petitioners are in custody for over a period of one year; decision of the case still to take some more time; no useful purpose would be served by detaining the petitioners in custody, therefore, they are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of CJM/Area Magistrate, Amritsar.

The present petition stands allowed.

(SHEKHER DHAWAN)
JUDGE

17.8.2017
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No