

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

**Criminal Misc. No. M-14055-2018
Date of Decision: 12.07.2018**

Iqbal Singh

.. Petitioner

Vs.

Bhola Singh and another

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner.

None for respondent No.1/complainant.

Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J.

Petitioner-Iqbal Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in complaint filed under Section 302 of Indian Penal Code and under Section 25 of the Arms Act, 1959; titled as Bhola Singh Vs. Iqbal Singh bearing complaint No.43/A dated 08.07.2014.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

As per the record, complainant Bhola Singh got registered a DDR No.22 on 20.10.2013 while stating that the death of his son Gurmeet Singh was accidental as his son had gone to the STD, where the loaded revolver of petitioner Iqbal Singh was lying and deceased started examining it and suddenly fired shot from it, due to which, Gurmeet Singh died.

Now, the complaint has been filed after a period of more than

one year and three months, while Bhola Singh alleged that it was the murder

by Iqbal Singh.

The co-ordinate Bench had already directed the petitioner to appear before the trial Court within 7 days vide order dated 24.04.2018. The petitioner has already appeared before the trial Court and has been released on interim bail.

The petitioner is not required for interrogation purpose as he has only to face trial. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that trial of the case will take a long time and no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 24.04.2018, granting interim bail to the petitioner, is made absolute.

12.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No