

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.208

CRM-M-14220-2018

Date of decision : 18.04.2018

Sandeep @ P.A

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Kuljit Kaur, Advocate, for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.176 dated 08.10.2016, registered at Police Station City Sri Muktsar Sahib, under Sections 302, 148 and 149 IPC.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He has been involved in this case only on the basis of statement of one Harbhajan Singh, who is relative of the complainant. The said Harbhajan Singh has got his statement recorded that prior to the incident, he had seen the petitioner alongwith the main accused. However, there is no allegation that the petitioner was either armed or that he took active part in the murder.

Custody certificate dated 18.04.2018, prepared by Shivraj Singh Nandgarh, Superintendent, District Jail, Sri Muktsar Sahib, has been filed in Court today and the same is taken on record. According to the said certificate, the petitioner has undergone custody of one year, six months and two days. There is no other case pending or decided against him.

On the other hand, learned State counsel opposes the prayer for regular bail on the ground that a very serious offence has been committed.

Having heard learned counsel for the parties, I am of the view that the petitioner deserves to be granted regular bail. It is not in dispute that the investigation is complete and that examination-in-chief of the complainant, eye-witness Vicky as well as Harbhajan Singh, have already been recorded by the learned trial Court. The petitioner has been in custody since 11.10.2016 and no useful purpose would be served by keeping him in custody indefinitely as the trial of the case is not likely to be concluded in the near future.

Accordingly, the petition is allowed and the petitioner-Sandeep @ P.A, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

18.04.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No