

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

Sr. No.206

CRM-M-1839-2018

Date of decision : 29.01.2018

Devinder Singh alias Prince

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. A.D.S. Sukhija, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.34 dated 16.03.2016, registered at Police Station Sadar Kharar, District S.A.S Nagar, Mohali, under Sections 302 and 34 IPC.

2. Custody certificate dated 29.01.2018, issued by Sh. Baljeet Singh, Superintendent, District Jail Rupnagar, has been filed by the learned State counsel in Court today and the same is taken on record. As per said certificate, the petitioner has already undergone actual period of custody of one year, ten months and eleven days.

3. Learned counsel for the petitioner submits that the petitioner has been in custody since 18.05.2016. He is not named in the FIR as the FIR is against some unknown persons. He further submits that the petitioner's name has surfaced on account of statement of one Kulwant Singh (Ex Sarpanch), who has allegedly over heard the co-accused discussing the murder of Jaskaran Singh. The said Kulwant Singh (Ex

Sarpanch) has however, not supported the prosecution version in totality, during his cross-examination as a witness in the trial. It is further submitted that even in the statement of the co-accused, no exact role has been attributed to the petitioner.

4. Learned State counsel, on instruction from ASI-Bhupinder Kumar admits that the said Kulwant Singh (Ex Sarpanch), has not supported the prosecution version during his cross-examination.

5. In view of the above, I deem it appropriate to allow this petition and direct the release of petitioner Devinder Singh alias Prince, on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Addition Sessions Judge, S.A.S. Nagar (Mohali).

(SUDHIR MITTAL)
JUDGE

January 29, 2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No