

Crl. Misc. No. M-19006 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-19006 of 2018

DATE OF DECISION:14.09.2018

Lovepreet Singh @ Love Grewal

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Dhruv Gupta, Advocate
for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

DAYA CHAUDHARY, J.

Petitioner-Lovepreet Singh @ Love Grewal has approached this Court under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 212 dated 16.12.2016 registered under Sections 302/307/364/323/325/427/506/201/473/148/149 IPC at Police Station Daba District Ludhiana.

Learned counsel for the petitioner contends that neither the petitioner is named in the FIR nor any specific role has been attributed to him. His name figured subsequently. All material witnesses have been examined and prosecution witnesses, namely, Sunita Rani and Anu have not supported the case of the prosecution and they have not identified the petitioner. The petitioner is in custody 24.12.2016. There are total 40 prosecution witnesses and seven material witnesses have been examined.

Learned counsel also contends that there is no case against the petitioner.

Learned counsel for respondent-State has not disputed the custody period as well as the examination of seven witnesses including Sunita Rani and Anu, who have not supported the case of the prosecution and have not identified the petitioner. It has also not been disputed that the name of the petitioner was not mentioned at the initial stage and the same was mentioned subsequently.

Heard the arguments advanced by learned counsel for the parties and have also gone through the contents of the FIR and other documents available on the file.

Keeping in view the submissions made by learned counsel for the petitioner and also the facts that the petitioner was not named in the FIR; he is in custody since 24.12.2017; all material witnesses including Sunita Rani and Anu have been examined and they have not supported the case of the prosecution and even have not identified the petitioner, the present petition is allowed. Petitioner-Lovepreet Singh @ Love Grewal is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

September 14, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No