

CRM-M-24137-2018

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

CRM-M-24137-2018

Date of Decision: 06.07.2018

Harwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Naveen Sharma, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Harwinder Singh has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.31 dated 23.05.2015, registered at Police Station Sadar Rampura, District Bathinda, under Sections 364/34 IPC (challan presented under Sections 302, 364, 201 and 34 IPC).

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

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

From the record, I find that FIR in the present case has been registered on the statement of Paramjit Kaur, mother of deceased. As per the allegations, complainant-Paramjit Kaur, her daughter-Simarjit Kaur

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and her son-Jagsir Singh were present in the house. At that time, Harwinder Singh and Gursewak Singh came there and dragged her son-Jagsir Singh and took away him forcibly on the motor-cycle. Later on, dead body of Jagsir Singh was recovered. The motive behind the occurrence was that Jeet Singh alias Ghora suspected that his wife had illicit relations with her son-Jagsir Singh. The third accused remained sit on the motor-cycle.

The petitioner has been in custody since 25.05.2015 i.e. more than three years. The petitioner is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case. Moreover, both eye-witnesses i.e. complainant-Paramjit Kaur (PW 1) and Simarjit Kaur (PW 3) have not fully supported the prosecution version.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

06.07.2018

parveen kumar

Whether speaking/reasoned

Whether reportable

:

:

(INDERJIT SINGH)

JUDGE

Yes

No