

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

HEMLATA
2018.09.11 17:39
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CRM-M-35083-2018 (O&M)

Date of decision:11.09.2018

Rakesh Kumar @ sonu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Sukhdeep Singh Sidhu, Advocate
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No. 70 dated 22.07.2017 under Sections 302, 396, 449, 171, 182, 201, 120-B, 411 of IPC, registered at Police Station Cant. Bathinda, District Bathinda.

Learned counsel for the petitioner has relied upon the order dated 21.03.2018 passed in CRM-M-1189-2018 whereby the co-accused of the petitioner and husband of the deceased was granted bail by this Court. Counsel for the petitioner contends that there are no allegations more than what was alleged against the co-accused. It is further contended that even the prosecution witnesses have not supported the case of the prosecution as against the present petitioner. The petitioner is in custody since 25.07.2018. He is no more required for any further investigation purposes.

On the other hand, learned State counsel, being instructed by ASI Vishnu Daas, submits that the petitioner had made extra judicial confession before Davinder Mohan and therefore, he is involved in this case.

As reply to this, learned counsel for the petitioner has submitted that even the said Davinder Mohan has not supported the case of the prosecution.

In view of the above submissions made by counsel for the petitioner, but without commenting any further opinion on merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

11.09.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No