

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

HEMLATA
2018.08.23 17:42
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CRM-M-35555-2018 (O&M)
Date of decision:23.08.2018

Satnam Singh @ Mama

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Arshdeep Singh Brar, Advocate for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition is for grant of bail pending trial in case FIR No. 73 dated 14.06.2014 under Sections 302 and 34 of IPC and Sections 25/27 of the Arms Act, registered at Police Station Moga, Sadar, District Moga.

Learned counsel for the petitioner contends that the entire case against the petitioner is based on extra judicial confession; allegedly made before one Hardeep Singh. Hardeep Singh has since been examined as a witness. However, he has not supported the case of the prosecution. This witness has given a statement that he has never seen the petitioner as such. It is further contended that otherwise also, the only allegation against the petitioner is for providing money for purchasing the weapon which has subsequently been allegedly used in the crime. He further submits that the petitioner is in custody since 06.08.2017 and he is not required for any further investigation. The trial is likely to take long time since only two witnesses have been examined in this case, so far.

On the other hand, learned State counsel, being instructed by ASI Santhak Singh, submits that there are allegations against the petitioner regarding the conspiracy in the crime. It is further contended that witnesses of the prosecution are being examined. So far as Hardeep Singh, witness, who has not supported the case of the prosecution, is concerned, it is submitted by learned counsel for the State that the witness has been duly confronted with the statement made by him before the police.

In view of the above submissions made by learned counsel for the petitioner, but without commenting upon the 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

23.08.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No