

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-35757 of 2018

Date of Decision: November 13, 2018

Gurbant Singh and others

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. L.S. Sidhu, Advocate for
 Mr. Madan Sandhu, Advocate
 for the petitioners
 Mr. A.S. Gill, AAG Punjab

Sudhir Mittal, J. (Oral)

The petitioners seek grant of regular bail in case FIR No. 35 dated 07.05.2017 registered under Sections 302, 34 IPC read with Section 3(5) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Joga, District Mansa.

As per the FIR, the petitioners were drinking partners of the deceased Jagjit Singh son of Kartar Singh. The petitioners had some altercation with him and they all got together and killed him.

Learned counsel for the petitioners contends that eye witnesses of the incident have not supported the prosecution version. The petitioners have been in custody since 08.05.2017 and there is no other criminal case pending against them. The trial is not likely to be concluded at an early date as only 3 PWs have been examined out of 16 PWs till date, therefore, the petitioners be released on regular bail.

Learned State counsel is not in a position to controvert the factual submissions made hereinabove.

It is, thus, clear that the trial is not likely to be concluded at an early date. The evidence on record till date, does not support the prosecution case and

there is no other criminal case pending against the petitioners. Thus, no useful purpose would be served by keeping them in custody indefinitely.

Accordingly, the petition is allowed and the petitioners are directed to be released on regular bail on their furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

November 13, 2018

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**[SUDHIR MITTAL]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No