

CRM-M-39512-2018

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

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Date of Decision: 02.11.2018

Balwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ramandeep, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.86 dated 15.06.2016, registered at Police Station City Samana, District Patiala, under Sections 302, 34 and 120-B of IPC (challan presented under Sections 302, 364, 328, 120-B and 34 of IPC, however, charges have been framed under Sections 302 and 34 of IPC).

Notice of motion was issued. Learned State counsel 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 one Gurbaksh Singh. As per the

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allegations, Rajpreet Kaur wife of Bahadur Singh (since deceased) developed illicit relations with one Mandeep Singh and later on, she developed illicit relations with the present petitioner. It is a case of circumstantial evidence and Bahadur Singh is stated to have been killed by giving two blows with bricks.

The petitioner has been in custody since 22.06.2016. Out of 25 prosecution witnesses, 11 witnesses have already been examined and 02 witnesses have been given up. The petitioner is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

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.

02.11.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No