

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

206

CRM-M-52576-2018 (O & M)
Date of Decision:04.12.2018

Anantpal Singh @ Antpal Singh @ Anta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Manpreet Ghuman, Advocate
for the petitioner.

Mr. Nikhil Chopra, Addl. AG, Punjab.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioner - Anantpal Singh @ Antpal Singh @ Anta for grant of regular bail in case FIR No.49 dated 04.04.2018, under Sections 302, 201 and 34 IPC registered at Police Station Barnala, District Barnala.

The FIR was registered on the basis of a complaint given by Jagtar Singh regarding missing of his son namely Kuldeep Singh. According to the prosecution, Kuldeep Singh had gone to Barnala and thereafter did not return home and the search was made which proved to be futile. A complaint regarding missing of his son given on 31.03.2018, however, later on the FIR was registered on the allegations that the complainant is convinced that three persons namely Gurwinder Singh @ Giri, Anantpal Singh @ Antpal Singh @ Anta and Jagpreet Singh @ Kalia have committed murder of his son and threw his body in canal.

The case of the prosecution is based on extra judicial

confession before Chet Ram, Sapranch son of Chota Ram resident of Kale Ke.

Learned counsel for the petitioner has contended that the material witnesses i.e. the complainant and Chet Ram had already been examined before the trial Court and they have not supported the prosecution case. It is further argued that except for this extra judicial confession, there is no other material to prove the prosecution case.

On the other hand, learned counsel for the State has opposed the bail petition of the petitioner on the ground that the offence is serious and the Investigating Officer is yet to be examined. It is also pointed out that in all there are 20 witnesses and only 4 have been examined. The rival contentions of the learned counsel has been considered.

Since the material witnesses have already been examined and they have not supported the prosecution case whereas the rest of the witnesses are mostly the official witnesses. The petitioner is in custody since his arrest on 07.04.2018 and the trial of the case is likely to take some more time, therefore, without commenting anything on the merits of the case, the petitioner is ordered to be released on bail, on his furnishing bail bonds and surety bonds, to the satisfaction of the Trial Court concerned.

The petition is allowed.

04.12.2018
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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No