

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.204

CRM-M-8213-2018

Date of decision : 19.03.2018

Bhawanpreet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sant Pal S. Sidhu, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.34 dated 16.03.2016, registered at Police Station Sadar Kharar, District Mohali, under Sections 302, 303, 379, 120-B, 201, 473 and 115 IPC.

Learned counsel for the petitioner has contended that there is no direct evidence on the record against the petitioner. He has been nominated as accused only on the basis of alleged confessional statement of Lakhvir Singh made before Davinder Singh. The entire evidence is circumstantial in nature and the petitioner has been in custody since 18.05.2016. The investigation is now complete and the material witnesses have also been examined.

The plea is opposed by the learned State counsel on the ground that the murder is alleged to have been committed at the instance of one Pawandeep Dhaliwal (wife of the deceased), who is an NRI and has been declared as proclaimed offender. It is further stated that there is evidence on record to show that said Pawandeep Dhaliwal had transferred money into the account of the petitioner and therefore, there is evidence to link the petitioner with the crime. It is also submitted that there are call records

available to show that the petitioner was in contact with Lakhvir Singh (main accused.)

Learned counsel for the petitioner has however, submitted that the money allegedly received from Pawandeep Dhaliwal is almost one year prior to the date of incident and thereafter, Pawandeep Dhaliwal has been directly in contact with Lakhvir Singh, who is the main accused.

That apart, a co-accused, namely, Gurpreet Singh @ Soni has been granted the concession of regular bail vide order dated 01.03.2018 passed by this Court and the petitioner is identically situated as said Gurpreet Singh @ Soni.

Keeping in view the fact that all the material witnesses have already been examined and that the petitioner has been in custody since 18.05.2016, no useful purpose would be served by keeping the petitioner in custody. On the principle of parity also, the petitioner deserves to be granted regular bail.

Accordingly, the petition is allowed. Petitioner, namely, Bhawanpreet Singh, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

19.03.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No