

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

**CRM-M No. 55981 of 2018
Date of Decision:-21.12.2018**

Jaspreet Singh @ Kalia

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioner.

Mr. Nikhil Chopra, Addl. A.G., Punjab
assisted by ASI Jasvir Singh.

MANOJ BAJAJ J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.49 dated 04.4.2018, under Sections 302 and 201 read with Section 34 IPC, registered at Police Station Barnala, District Barnala, during pendency of the trial.

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 31.3.2018, 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, Sarpanch son of Chota Ram resident of Kale Ke. Learned counsel for the petitioner contends that the material witnesses i.e. the complainant and Chet Ram already stand examined 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.

Learned counsel for the petitioner has argued that the case of the petitioner is on the similar footing as of co-accused Anantpal Singh @ Antpal Singh @ Anta, who has already been granted concession of regular bail by this Court vide order dated 04.12.2018 in CRM-M-52576 of 2018.

Learned State counsel on instructions from ASI Jasvir Singh does not dispute that the case of the petitioner is at par with the co-accused Anantpal Singh @ Antpal Singh @ Anta, who has been extended concession of bail vide order dated 04.12.2018 by this Court.

In view of the above facts and circumstances, considering the custodial period of the petitioner, status of the case, further detention of the petitioner is not justified. Without commenting anything upon merits of the case, the petitioner is admitted to regular bail subject to his furnishing the

requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

December 21, 2018
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No