

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

CRM-M No.884 of 2019

Date of Decision: 24.01.2019

Aman Kumar @ Shanku

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Amrit Singh Kang, Advocate
for the petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

Petitioner, namely, Aman Kumar @ Shanku has filed the present petition under Section 439 Cr.P.C for grant of regular bail to him in case FIR No.130 dated 24.07.2016 registered under Sections 302/34/120-B IPC at Police Station Mukerian, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and has falsely been implicated in the case on the basis of statement of co-accused Joginder Singh. No recovery was effected from him. Out of total 27 witnesses, 16 witnesses including one eye witness have been examined. Co-accused of the petitioner, namely, Sukhwinder Singh alias Rana and Satvir Singh @ Pappu have been released on regular bail vide orders dated 25.10.2018 and 04.12.2018 passed in **Crl. Misc. No.16386 of 2018** and **51359 of 2018** respectively.

Learned State counsel has not disputed the custody period; the examination of one eye witness and release of two co-accused, whose names

have been mentioned above but she has opposed the submissions made by learned counsel for the petitioner on the ground that one eye witness is still to be examined.

Heard the arguments of learned counsel for the parties and have also perused the contents of the FIR as well as other documents available on the file including the order passed in the cases of co-accused.

By considering the custody of petitioner since 14.09.2016 and also the fact that out of total 27 prosecution witnesses, 16 witnesses have been examined; one eye witness has been examined and two co-accused have also been released on regular bail, the present petition is allowed and petitioner, namely, Aman Kumar @ Shanku is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

24.01.2019
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No