

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-1557-2019

Date of decision: 08.02.2019

Harinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. PS Hundal, Senior Advocate with
Mr. Dinesh Trehan, Advocate for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this second petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner-Harinder Singh, in case FIR No. 72 dated 26.07.2015 registered under Sections 302, 148 and 149 IPC at Police Station Ghoman, District Gurdaspur.

According to the prosecution, around 8.00 p.m. on 26.07.2015, the petitioner along with his 5 accomplice murdered Manpreet Singh @ Sonu, nephew of complainant-Baljinder Singh, by giving three knife blows i.e. two on the left side chest and one on the back.

Learned counsel *inter alia* contends that the petitioner has falsely been implicated in the instant case. In fact, the petitioner had suffered multiple grievous injuries at the hands of complainant party and a criminal complaint is also pending in the Court of Illaqa Magistrate.

Petitioner is in custody since 02.08.2015. Conclusion of trial may take

sufficient long time. No useful purpose would be served by detaining him

in jail. In support of his contentions, learned counsel has relief upon a judgment of Allahabad High Court in **Mohammad Mian Vs. State of U.P., CriLJ 2621.**

On the hand learned State counsel vehemently opposed the submission of learned counsel for the petitioner.

Considering the seriousness of allegations levelled against the petitioner and the fact that knife blows have been attributed to the petitioner, this Court is not inclined to grant concession of bail to the petitioner. More so, the trial is yet to start and witnesses are still to be examined. Therefore, this Court is of the view that in case, the petitioner is released on bail, he may try to influence or intimidate the witnesses and tamper the prosecution evidence.

The facts and circumstances of the judgment relied upon by learned counsel for the petitioner are quite distinguishable from the facts of instant case. Therefore, no benefit whatsoever of the same can be given to the petitioner. More so, every case has its own peculiar facts and circumstances.

The instant petition being meritless is dismissed.

February 08, 2019

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No