

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

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**CRM-M No.2172 of 2019
Date of Decision: 24.01.2019.**

Rajwant Kaur

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. H.S. Thiara, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.69 dated 25.06.2017 under Sections 302, 301, 120-B of the Indian Penal Code, registered at Police Station Talwandi Chaudharian, District Kapurthala.

Learned counsel representing the petitioner contended that the petitioner has been falsely implicated in the case which is based on circumstantial evidence. The petitioner is in custody since 30.06.2017 and trial of the case still to take some more time, so he be released on regular bail.

On the other hand, learned State counsel, while opposing the prayer for bail, contended that the name of the petitioner has figured on the basis of statement of Jagtar Singh who had heard the voice of the petitioner, as such the petitioner does not deserve the concession of bail.

On this, learned counsel for the petitioner contended that similarly situated accused Jaspal Singh alias Doctor has already been released on bail vide order dated 21.12.2018 passed in CRM-M No.55602 of 2018 and on parity also, the petitioner deserves the concession of bail.

Having considered the submissions made by learned counsel for the parties and the fact that prosecution case is based on circumstantial evidence, moreso, the complainant of this case, namely, Jaspal Singh alias Doctor has already been examined and trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. The petitioner is ordered to be admitted on regular bail on furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

24.01.2019

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No