

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

CRM-M No.3095 of 2019

Date of Decision: 25.02.2019

PP/H.C. Makhtool Singh and anotherPetitioners

Versus

State of PunjabRespondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr.Dhiraj Chawla, Advocate
for the petitioners.

Mr. Amit Mehta, Sr. D.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to petitioners in case FIR No.128 dated 06.05.2014 registered under Sections 222/223/224/302/201/364/365/342/149/120-B IPC at Police Station Civil Lines, Amritsar.

Learned counsel for the petitioners submits that the petitioners have been implicated only because of aid of Section 120-B IPC. Challan against accused was filed much earlier and thereafter, out of total 46 witnesses, as many as 42 witnesses were examined. Subsequently, the application under Section 311 Cr.P.C was moved, which was dismissed and the order has been challenged by way of filing **CRM-M No.44552 of 2018** titled as **State of Punjab vs Naurang Singh and others**, which is pending before this Court on 08.04.2019. Petitioners are in custody for the last more than 4 years 9½ months. The trial still can take some time to conclude and no useful purpose would be served by keeping the petitioners behind bars.

Co-accused of the petitioners, namely, Jagtar Singh @ Kanshi, Ex. H.C. Lakhwinder Singh, Deep Raj Singh have been released on regular bail. Case of the present petitioners is also at par with said co-accused.

Learned State counsel has not disputed the custody period as well as release of co-accused on regular bail.

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.

By considering the custody of the petitioners, which is more than 4 years and 9½ months; the facts that co-accused have been released on regular bail; the order passed in a petition under Section 311 Cr.P.C has been challenged before this Court, which is pending, the present petition is allowed and petitioners, namely, PP/H.C. Makhtool Singh and PP/H.C. Angrej Singh are directed to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

25.02.2019
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No