

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

Criminal Misc. No.M-4057 of 2019(O&M)

Date of Decision: November 18, 2019

Ravi Kumar alias Bobby

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

--

Present: - Mr.Sandeep Arora, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

Mr.Chandan Singh Rana, Advocate
for the complainant.

-

HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of bail in case FIR No.146 dated 30.10.2017 under Sections 302/201/34 IPC, Police Station Daresi, District Ludhiana.

The FIR was registered on the basis of the complaint made by Rajesh Kumar Laddi. He stated that he had three children; two daughters and one son Kuldeep Kunwar. On the night of 29.10.2017 there was a programme of holding Satsang in Balmiki Area. His son Kuldeep Kunwar and some other residents of the locality had attended the same. He last saw his son on 29.10.2017 at about 10.00 PM in the Satsang. His son did not return home. The next morning i.e. 30.10.2017 at about 7.00 AM he was informed that dead body of his son was lying on a pile of sand near the turning of street No.1, New Atam Nagar, Ludhiana. He alleged that his son

had been murdered by some unknown persons, who threw the dead body on the pile of sand.

On 11.11.2017 Chander Kanta the mother of the deceased submitted application in which she suspected the role of Sunny, Bobby, Usha, Malo, Imli, Raju and Bugi. The mobile phones of various suspects were collected and sent to Cyber Crime Cell, Ludhiana. It transpired that on the night of the occurrence the location of the mobiles of Sunny Gill and the petitioner were found near the place where the satsang was held. The CCTV footage revealed that Sunny Gill and the petitioner were riding an Activa scooter and were allegedly carrying a gunny bag. Sunny Gill also allegedly made an extra judicial confession before one Sohan Lal Garg that he had committed the crime in a fit of rage.

The contention of the Ld. Counsel for the petitioner is that he has been falsely involved in the case. When the case was listed on 16.07.2019, Ld. Counsel for the petitioner had stated that four material witnesses including two witnesses of extra judicial confession and two witnesses of last seen had already been examined. They had not supported the case of the prosecution. Ld. State Counsel has stated that one material witness remain to be examined. On 26.08.2019 the case was adjourned to 30.09.2019 as his cross examination had been deferred. Now the examination of that witness is complete. Thus all the material witnesses in the case have been examined. Ld. Counsel for the petitioner states that none of them have supported the case of the prosecution.

The petitioner is in custody since 17.04.2018. It is a case based on circumstantial evidence. The material witnesses have already been examined and they have not supported the case of the prosecution.

In view of the above, without expressing any opinion on the merits of the case, this petition is allowed. The petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

November 18, 2019

(HARINDER SINGH SIDHU)
JUDGE

gian

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No