

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

CRM-M No.10042 of 2018

Date of Decision: 10.01.2019

Parshotam Singh @ Soni

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Veneet Sharma, Advocate
for the petitioner.
Ms. Rashmi Attri, A.A.G., Punjab.

DAYA CHAUDHARY, J. (ORAL)

Petitioner-Parshotam Singh @ Soni has filed the present petition for grant of regular bail to him in case FIR No.49 dated 10.06.2016 registered under Sections 302, 201, 506, 148, 149/34 IPC at Police Station Ramdas, Amritsar Rural, District Amritsar.

Learned counsel for the petitioner submits that the name of the petitioner was not mentioned in the FIR and the complainant has specifically named two accused i.e Sardool Singh and Yograj Singh alias Jogga. On the next day i.e 11.06.2016, the supplementary statement of the complainant was recorded, where the name of the petitioner was mentioned. Learned counsel also submits that the petitioner was arrested on the basis of supplementary statement made on 04.05.2017. The complainant is not an eye witness of the incident and there was no reason to mention the name of the petitioner in the initial complaint made by him on the basis of which the FIR was registered but subsequently without giving any reason, his name has been mentioned. Learned counsel also submits that the name of brother of the petitioner was mentioned at the initial stage and it shows that the

petitioner has falsely been implicated. Petitioner has undergone approximately one year and seven months. Out of total 34 witnesses, 16 witnesses including the complainant have been examined. Still the trial may take some time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Petitioner undertakes to appear before the trial Court regularly and to abide by all terms and conditions to be imposed by this Court or by the trial Court. No other case is pending against the petitioner.

Learned State counsel has not disputed the custody period as well as stage of trial but opposes grant of bail to the petitioner on the ground of seriousness of offence.

Heard 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 approximately one year and seven months and also the fact that the petitioner was named in the supplementary statement recorded subsequently; the complainant is not an eye witness of the incident; all material witnesses including the complainant have been examined; the trial may take some time to conclude and no useful purpose would be served by keeping the petitioner behind bars, the present petition is allowed and petitioner, namely, Parshotam Singh @ Soni is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

(DAYA CHAUDHARY)
JUDGE

10.01.2019

gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No