

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

CRM-M-8862-2019

Date of Decision:06.03.2019

Harpreet Singh @ Billa

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. P.B.S. Goraya, Advocate
for the petitioner.

Mr. Rajat Bansal, A.A.G. Punjab.

RAJBIR SEHRAWAT, J. (Oral)

Through this petition, the petitioner has sought for bail pending trial in case FIR No.63 dated 04.09.2017 registered under Sections 397/398/307/148/149 IPC and 25/27/54/59 of Arms Act at Police Station 'Sarai Amanat Khan Tarn Taran' District Tarn Taran.

Learned counsel for the petitioner contends that the case against the petitioner is totally concocted. There is no evidence collected by the police even during the investigation to connect the petitioner with the crime in question. It is further submitted that the petitioner was not arrested from the spot. No recovery was effected from the petitioner. Even the alleged eye witness have been examined before the Court and the said witness have not supported the case of the prosecution. It has been deposed by the alleged witness that the petitioner was not the person involved in the incident. Still further, it is contended that one of the co-accused of the petitioner has since already been released on bail pending trial by this Court. The petitioner is in custody since 26.10.2017.

On the other hand, learned State counsel, being instructed by

ASI Balbir Singh, submits that the petitioner is involved in a heinous crime. The petitioner had been identified by the complainant in identification prayed conducted before the police. It is further contended that the petitioner is involved in other cases also. However, it is not disputed by the learned State counsel that the petitioner was arrested on 26.10.2017. The challan has already been filed and that the co-accused of the petitioner have already been released on bail.

In view of the above facts and circumstances, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

06.03.2019
rajeev

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No