

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

226 (a)

Criminal Misc. No.M-18311 of 2019

Date of decision : 09.07.2019

Baljinder Singh @ Billa

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Pratham Sethi, Advocate for the petitioner.

Mr. Dhruv Dayal, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.230, dated 11.10.2018, under Sections 302, 120-B of the Indian Penal Code and Sections 25, 27 of the Arms Act (Section 473 IPC and Sections 30, 54, 59 of the Arms Act added later on), registered at Police Station Dugri, District Ludhiana.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he was not named in the FIR wherein it is alleged that accused, namely, Gurwinder Singh @ Guri had killed Mandip Singh @ Monty by firing five revolver shots. It is also alleged that Gurwinder Singh @ Guri had killed the deceased at the behest of Balwinder Singh @ Tittu who had suspected the deceased having illicit affair with his wife. He further states that the petitioner was arrayed as an accused after one month of the incident as the weapon which was used in the commission of the crime had been mortgaged with the petitioner by one-Ashwani Kumar. There is no other *prima facie* evidence which would connect the petitioner with the commission of the offence. He also states that the petitioner is not involved in any other case and is in custody since his arrest on 22.12.2018.

Learned State counsel, upon instructions from SI Chaman Singh, is not in a position to controvert the submissions of the learned counsel for the petitioner, however, contends that investigation has been completed and charges have been framed but no prosecution witness has been examined so far.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when no overt act has been attributed to the petitioner, he is in custody for over six months and the conclusion of the trial is likely to take sometime, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

July 09, 2019
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No