

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

209

CRM-M-43658-2018

DATE OF DECISION:10.04.2019

SANJAY @ SANJU

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. A.K. Walia, Advocate for the petitioner(s).

Mr. Amit Mehta, Senior DAG, Punjab

Mr. N.K. Vadehra, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 40, dated 22.03.2017, under Sections 302/201/120-B/203/365 IPC, registered at Police Station Kotwali, District Patiala.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and he has been arraigned as an accused only on the basis of extra judicial confession of a co-accused wherein the deceased is alleged to have been last seen in the company of other accused including the petitioner on 18.3.2017 at 09:30 p.m., while the DDR was lodged on 20.3.2017 with regard to the missing of the deceased. In the FIR, Gurpreet Singh @ Kaka has been named and the motive is also attributable to Gurpreet Singh @ Kaka. He also contends that the petitioner is in custody for over 2 years since his arrest on 26.3.2017 and the co-accused Paramjit Kaur has been granted regular bail by a coordinate Bench of this Court in

CRM-M-12981 of 2018 on 3.4.2018. He further contends that the case is based on circumstantial evidence and body of the deceased could not be recovered. It is also contended that the petitioner is not involved in any other case and only 6 out of 24 prosecution witnesses have been examined so far.

In view of the submissions of learned counsel for the petitioner, especially when the case is based on circumstantial evidence, the petitioner is in custody for over 2 years, the co-accused has already been granted bail and conclusion of the trial is likely to take some time, I deem it appropriate to grant him the concession of regular bail.

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

10.04.2019.

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No