

216

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22246-2019

Date of decision-27.08.2019

Lovepreet Singh @ Love

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. B.S.Mann, Advocate for the petitioner.

Mr. Hittan Nehra, Addl.AG, Punjab assisted by
ASI Surjit.

Mr. TVS Lehal, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner- Lovepreet Singh @ Love has prayed for grant of regular bail in case FIR No.25 dated 02.04.2017 registered under Sections 302 and 201 read with Section 34 of Indian Penal Code, 1860 at Police Station Sekhwan, Police District Batala, District Gurdaspur, Punjab.

The FIR was registered on the statement of Baljit Kaur wife of Late Narinder Singh with the allegations that on 12.03.2017, when she along with her son was serving at Gurudwara, at about 10.30 p.m., Lovepreet Singh (petitioner) and Sukhwinder Singh came there and took her son with them on motorcycle. After that her son not returned at home. After search, at about 11.00 p.m. dead body of victim-Yuvraj Singh was found from phirni of village Leel Kalan.

Learned counsel for the petitioner contends that originally the

FIR was registered for the offence punishable under Section 304 IPC as the complainant had stated that her son Yuvraj Singh died of over dose of drugs. Subsequently, the offence punishable under Section 302 IPC was added on 01.11.2018 considering the doctor's opinion whereby cause of death was described as result of the injury suffered on the head of the victim. Learned counsel further contends that the petitioner is in custody for approximately two years and the trial is likely to take some time. He submits that case of the prosecution is based on circumstantial evidence.

On the other hand, learned State counsel assisted by ASI Surjit opposed the bail application. Learned counsel for the complainant has also vehemently opposed the prayer. However, it is not disputed by learned counsel for the complainant that the complainant has already testified before the Court and 16 witnesses still remains to be examined.

Considering the above background and the fact that the trial of the case is likely to consume more time, this Court does not find any valid reason to detain the petitioner any further in custody. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Gurdaspur.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

27.08.2019

vanita

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