

CRM-M-22621-2019

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

CRM-M-22621-2019

Date of Decision: 24.05.2019

Bhupinder Singh @ Dimple

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ritesh Pandey, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Learned counsel for the petitioner submits that Section 120-B of the IPC has been added later on and, therefore, it could not be mentioned in the head-note and prayer clause of the main petition. He orally requests that the aforesaid section may be added in the head-note and prayer clause of the main petition.

Heard.

In view of the oral request made by learned counsel for the petitioner, Section 120-B of the IPC be added in the head-note and prayer clause of the main petition. Registry is directed to make necessary addition in the head-note and prayer clause of the main petition.

Petitioner has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.10 dated 12.01.2018, registered at Police Station City Batala, District Gurdaspur, under Sections 302, 120-B and 34 of the IPC.

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Notice of motion has been issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

Learned counsel for the petitioner argues that the eye-witnesses in this case have not supported the prosecution version and have turned hostile.

Learned State counsel has not disputed this fact.

The petitioner is in custody since 27.01.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case and in view of the fact that the main eye-witnesses have not supported the prosecution version; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

24.05.2019

parveen kumar

Whether speaking/reasoned

Whether reportable

:

:

(INDERJIT SINGH)
JUDGE

Yes

No