

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-22666 of 2019 (O&M)

Date of decision: 22.05.2019

Suraj @ Deepu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Rahul Jaswal, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail in FIR No.120 dated 20.05.2018 under Sections 302, 201, 34 of the Indian Penal Code, Police Station Sadar, Khanna, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner is in custody since 20.05.2018. He has further submitted that the petitioner has not been named in the FIR and he is sought to be implicated only on the statement of Pawan who is a co-accused. He further submitted that the prosecution has not found any incriminating material/evidence against the petitioner.

The investigation is complete. The evidence of the prosecution is going on and Vishal, the complainant has not supported the case of the prosecution.

On the other hand, learned State counsel has submitted that the

petitioner is accused in a heinous crime and therefore, does not deserve concession of regular bail.

At this stage, it would not be appropriate for this Court to dilate on the merits of the case.

Without commenting on the merits of the case and taking into consideration the evidence collected by the prosecution and the fact that the petitioner is not named in the FIR and the statement of co-accused disclosing involvement of the petitioner, credibility whereof is debatable, the petitioner is directed to be released on regular bail subject to furnishing of personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Accordingly, the present petition is allowed.

22.05.2019
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No