

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of Decision : 23.5.2019

CRM-M-6972-2018

Raj Kumar @ Ramu

....Petitioner

vs.

State of Punjab

....Respondent

CRM-M-17535-2018

Ramesh Chand

....Petitioner

vs.

The State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Dinesh Nagar, Advocate
for the petitioner in CRM-M-6972-2018.

Mr. M.R. Ranga, Advocate
for the petitioner in CRM-M-17535-2018.

Mr. M.S.Rana, Advocate for
Mr. Yashpal Thakur, Advocate for the complainant.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This common order shall dispose of abovesaid two petitions as
they arise from the same FIR.

These petitions have been filed under Section 439 Cr.P.C for
grant of regular bail to the petitioners in case FIR No.14 dated 19.3.2017
registered under Sections 364/34 IPC, 1860 (Sections 302/201 IPC having
been invoked later on) at police station Behram, District SBS Nagar,

Nawanshahar.

As per the FIR lodged on 17.3.2017, the name of the deceased was lodged as missing persons and suspicion was given that these two present petitioners had been in regular touch with the deceased and apprehension that they had kidnapped him and then the dead body of the deceased was found. Both the petitioners have been in custody since 22.3.2017.

On the previous date, the matter was adjourned to conclude the testimony of the complainant and now the same has been concluded. Admittedly, there is no direct evidence of murder.

Learned Deputy Advocate General on instructions from ASI Sandeep Singh has accepted these factual assertions but opposed the bail by stating that this is a case where serious offence i.e murder has been committed by the petitioners.

Without commenting on the merits of the case, keeping in view the above facts and the period of incarceration already suffered by the petitioners, I deem it appropriate to grant regular bail to the petitioners. Ordered accordingly, Bail to the satisfaction of the concerned Trial Court/Duty Magistrate.

Petitions stand allowed.

Since the main cases have been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

23.5.2019
anuradha

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No

(AJAY TEWARI)
JUDGE