

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

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**CRM-M No. 53088 of 2019
Date of decision : 18.12.2019**

Sanjay Ahirwar

.....Petitioner

Vs.

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Aman Deep Singh Rai, Advocate, for the petitioner

Ms. Amarjit Kaur Khurana, DAG, Punjab

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 63 dated 6.4.2019, registered under Sections 302 and 34 IPC at Police Station PAU, Ludhiana.

Learned counsel for the petitioner submits that initially the petitioner was not even named in the FIR as accused. The name of the petitioner was sought to be involved in the case only on the basis of the statement, allegedly made by the wife of the deceased and uncle of the present petitioner. Both of them have been examined before the lower Court and they have not supported the case of the prosecution. Hence, as of today there is no evidence against the petitioner. The petitioner is in custody since 8.4.2019. Hence, the petitioner deserves to be released on bail pending trial.

On the other hand, counsel for the State, on instructions, submits that the petitioner has been found to be directly involved in the commission of murder of the deceased. However, it is not disputed that the complainant and

the wife of the deceased have not fully supported the version of the prosecution against the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

18.12.2019

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No