

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

**CRM-M No. 682 of 2020 (O&M)
Date of decision: - 17.01.2020**

Akash Shergill @ Pardesi

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Umesh Aggarwal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 82 dated 31.05.2019 registered under Sections 302, 201 and 34 IPC at Police Station Gate Hakima, District Police Commissionerate, Amritsar.

As per the case of the prosecution, late Sh. Harpal Singh, who used to run an orchestra group for performing in the marriage functions, has been killed by Monika @ Muskan, a dance performer in the group.

Learned counsel for the petitioner states that the petitioner was not named in the FIR and as per the investigation there is no allegation of causing murder or any direct evidence against the petitioner. The police has found noting except the disclosure statement of co-accused-Monika @ Muskan that she had called the petitioner and other friends for the purpose of

disposal of the dead body as she had committed the murder. He further states that co-accused Anshu Sharma @ Mangu and Keshav Kumar have already been granted concession of regular bail by Coordinate Bench of this Court. The petitioner is in custody since 01.06.2019.

While referring to the order passed by the court of Sessions submits that only allegation against the petitioner, as per the case of the prosecution, is that he helped Monika @ Muskan to shift the body from her residence to Dussehra Ground.

Learned State counsel does not dispute the aforesaid fact.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 01.06.2019. Two co-accused of the petitioner have already been granted regular bail and the petitioner is similarly situated being entangled on the disclosure statement.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

17.01.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No