

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

**210**

**CRM-M No.16463 of 2020 (O&M)  
Date of decision:17.08.2020**

Jaspal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Ankur Bansal, Advocate for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

**SUVIR SEHGAL J. (ORAL)**

This matter has been taken up for hearing through video conferencing due to Covid-19 Pandemic.

**CRM-19485-2020**

Prayer in the application is for placing on record Annexures P-5 to P-7.

Notice of the application.

Mr. Amit Mehta, Senior DAG, Punjab, accepts notice of the application and has no objection, in case, the application is accepted.

Application is allowed. Annexures P-5 to P-7 are taken on record, subject to all just exceptions.

**Main case.**

Petitioner has filed this petition under Section 439 of Cr.P.C.

for grant of regular bail in case FIR No.132, dated 26.09.2014 registered under Sections 302, 120-B of Indian Penal Code, 1860 at Police Station Sadar, Kapurthala.

Counsel for the petitioner has argued that there is no direct evidence regarding the complicity of the petitioner in the murder of his wife and minor child except for the bald statement of the complainant. He has urged that even the weapons which were recovered from the spot were planted for the reason that they find mention in the complaint and there were no blood stains on them. He has also argued and pointed out some loopholes in the story of the prosecution as well as the evidence of the prosecution witnesses.

State counsel has filed the custody certificate dated 05.08.2020. Same is taken on record. State counsel, upon instructions from SI Raman Kumar has submitted that the charges were framed on 14.01.2015 and that the trial is at its fag end inasmuch as 19 out of 22 prosecution witnesses already stand examined. His instructions are that even the remaining three witnesses are official witnesses. He has further argued that the wife of the petitioner was killed within the 7 years of the marriage and the dead body has been found from the matrimonial home.

Heard.

Considering the fact that the trial is likely to take some time due to the outbreak of Corona Virus (Covid-19) as the Courts are not functioning normally and particularly the fact that the petitioner has been in incarceration for the last more than 5 years and 10 months, no useful purpose will be served by keeping the petitioner behind bars any further. Without commenting anything on the merits of the case, the petition is

allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

17.08.2020  
pooja saini

(SUVIR SEHGAL)  
JUDGE

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