

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

CRM-M-18462-2020 (O&M)
Date of Decision:- 30.7.2020

Inderjit @ Indu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Arora, Advocate for the petitioner.

Mr. N.K.Banka, DAG, Punjab.

Mr. Gurmeet Singh, Advocate for the complainant.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.5 dated 10.1.2019 under Sections 302/120-B IPC at Police Station Mehtiana, District Hoshiarpur.
2. The FIR was lodged at the instance of Sarwan Kumar wherein it has been alleged that on 9.1.2019, he came to know that when his uncle's son Paramjit Kumar, who is working as a labourer, was proceeding to the house of his inlaws on a cycle, he was waylaid by some unknown persons and given beatings. When the complainant, upon receipt of said information, reached the spot, he found that Paramjit Kumar was lying there and had sustained injuries with some sharp edged weapons and had already died.

3. The learned counsel for the petitioner has submitted that it is a case of blind murder and that in any case since the co-accused Raj Rani has already been granted concession of bail, the petitioner deserves the same concession on grounds of parity.
4. Opposing the petition, the learned State counsel has submitted that in the present case, during the course of investigation, it had surfaced that the accused was having an affair with wife of the deceased namely Raj Rani and the petitioner along with Raj Rani had murdered the deceased. The learned State counsel has informed that during the course of investigation, the petitioner had suffered a confessional statement to this effect. The learned State counsel has, however, informed that the petitioner has been behind bars since the last 1 year and 6 months.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that it is a case based mainly on circumstantial evidence and that the petitioner has already been behind bars since the last one and half years and is not stated to be a previous convict, further detention of the petitioner is not justified, especially when the co-accused has already been extended the benefit of bail.
7. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

30.7.2020

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No