

Ram Pal

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Anterpreet Singh, Advocate
for the petitioner

Mr. Ajay Pal Singh Gill, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 25 dated 18.06.2019 registered under Sections 302, 34 IPC at Police Station Pojewal, District SBS Nagar.

According to the contents of the FIR, deceased Satnam Singh was employed with the petitioner as a labourer for the last 5-6 years. He went for work from home on 17.06.2019 but did not return. Next day, the complainant was informed that the dead body of Satnam Singh was lying on the cot in the street and that Udhan Lodhi and one Aman son of Darshan Lal had left his body there. Said Udhan Lodhi being employee of the petitioner, the petitioner were also named as accused.

Learned counsel for the petitioner submits that the petitioner has been in custody for over one year and trial has not progressed beyond the initial stage as only one PW has been examined. The evidence against the petitioner is circumstantial at best. The petitioner does not have any criminal antecedents, thus, he may be granted regular bail.

Custody certificate dated 07.08.2020 has been filed in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 1 year, 1 month and 14 days and there is no other criminal case pending against him.

Learned State counsel opposes the prayer by stating that before the body was found, there was evidence to indicate that the petitioner and his co-accused were consuming liquor alongwith the deceased and they murdered him on account of a drunken brawl. This submission has been made on the basis of disclosure statements made by the co-accused. He admits that there is no eye witness to the incident.

Taking into consideration the totality of the facts and circumstances of this case as well as the fact that the petitioner has been in custody for over 1 year, 1 month and 14 days and the trial is not likely to be concluded at an early date, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

August 07, 2020
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No