

Paramjit Singh @ Pamma

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ravi Malhotra, 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. 134 dated 08.08.2019 registered under Sections 302, 201 and 34 IPC at Police Station Mehatpur, District Jalandhar.

According to the FIR, the husband of the petitioner, who worked as Mason with the petitioner, was taken away by the petitioner and another person on 07.08.2019 at 6.30 a.m. Later in a day at about 4.00 p.m. She came to know that he was lying on the road side. She went at the spot alongwith her relatives and took him to the hospital where he was declared brought dead. On the next day, she came to know that the petitioner and one other were responsible for the death of the husband of the complainant.

Learned counsel for the petitioner submits that the petitioner has been in custody for over 11 months as on date. According to the FIR, the dead body bore injuries but the same has been falsified by the postmortem report (Annexure P-1). There is no evidence against the petitioner till date and the petitioner has been arrested only on the basis of suspicion. There is one other case under

Sections 342, 427, 148, 149 IPC pending against the petitioner in which he has been granted bail. Thus, the petitioner may be granted regular bail in this case also.

Custody certificate dated 09.08.2020 has been filed in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 11 months and 29 days and there is one other criminal case as aforementioned pending against him. Learned State counsel concedes that petitioner is on bail in the pending case. Further, he does not dispute that charges have not yet been framed in this case.

It is, thus, evident that the trial is not likely to be concluded at an early date. The petitioner has been in custody for 11 months and 29 days already. The record does not reveal any other criminality defect which may point to the guilt of the petitioner. Thus, 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 10, 2020
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[SUDHIR MITTAL]
JUDGE

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