

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

CRM-M-22019-2020

Date of decision:17.12.2020

Sukhdev Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate by way of an affidavit dated 16.12.2020 of Deputy Superintendent, Central Jail, Ferozepur, filed through email, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.37 dated 16.04.2016 registered under Sections 302, 120-B IPC at Police Station Makhu, District Ferozepur.

Learned counsel for the petitioner states that the petitioner has falsely been involved in the present case. Co-accused Mandeep Kaur has already been granted regular bail by a Coordinate Bench of this Court vide order dated 25.06.2020 even though as per the allegations contained in the FIR, Mandeep Kaur and the petitioner have killed the husband of Mandeep Kaur, namely, Ajit Singh. It is further stated that there is a delay of 14 days in lodging the FIR. It is further submitted that in a petition i.e. CRM-M-13520-2018 filed by complainant-Nirmal Singh, vide order dated

02.04.2018 passed by a Coordinate Bench of this Court, the trial Court was directed not to pronounce the final order. It is further contended that the petitioner has been in custody for the last 04 years 07 months and 25 days.

Learned State counsel states that the petitioner has played an active role in the killing of Ajit Singh in connivance with co-accused Mandeep Kaur. While not denying the factum of the order dated 02.04.2018 passed by the Coordinate Bench, it is submitted that it is the pronouncement of the final order which has been stayed not the trial proceedings. He, has, however not disputed the custody period of the petitioner.

I have heard the learned counsel for the parties.

Undisputedly, co-accused Mandeep Kaur has already been granted the concession of regular bail by the Coordinate Bench of this Court, as noticed above. The petitioner has been in custody for the last 04 years 07 months and 25 days. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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

17.12.2020
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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No