

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.208

CRM-M-23263-2020

Date of decision : 16.10.2020

Balwinder Singh @ Bagichi

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Neeraj Madaan, Advocate, for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.41 dated 4.6.2019, registered at Police Station Lakhewali, District Shri Muktsar Sahib, under Section 302/34 IPC and Section 201 IPC, added later on.

Learned counsel for the petitioner submits that the petitioner has been in custody for almost 01 year and 05 months. There is no criminal case pending against the petitioner. The trial is not likely to be concluded at an early date as only 01 PW has been examined till now. The petitioner has been implicated in this case only on extra judicial confession made before one Gurnam Singh. Thus, the petitioner may be released on regular bail.

Custody certificate dated 15.10.2020 has been produced in Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 01 year, 04 months and 04 days and there is no other criminal case pending against him.

Learned State counsel concedes that only 01 PW has been examined till date.

Thus, it is evident that the petitioner has been named as an accused on account of extra judicial confession. Such a statement is no

undergone by the petitioner and the fact that the trial is not likely to be concluded at an early date, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

16.10.2020
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No