

Sr. No.217

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

**CRM-M-24052 of 2020 (O&M)
DATE OF DECISION : 01.09.2020**

Jatinder Kapoor @ Lucky Kapoor @ Bhalu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sahil Puri, Advocate,
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG Punjab.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No. 173 dated 03.08.2019, registered under Section 302 and 201 read with Section 34 IPC, at Police Station Sultanpur Lodhi, District Kapurthala.
2. According to prosecution, on 03.08.2019, dead body of Jatinder Singh, was found lying at village Kadal Kalan. Consequently, FIR was registered. Investigation was conducted. Per allegations, petitioner made extra judicial confession before Mohinder Singh and Kabal Singh admitting his involvement in the murder of Jatinder Singh. The petitioner and his co-accused Kishan @ Ajay were arrested.
3. Learned counsel for the petitioner, inter alia, contends that PW4 Mohinder Singh and PW6 Kabal Singh, in front of whom, petitioner allegedly made extra judicial confession qua murdering of Jatinder Singh have turned hostile and refers to their statements, Annexures P-5 and P-4, respectively. He

submits that co-accused Kishan @ Ajay has already been granted concession of regular bail by virtue of order dated 30.07.2020(Annexure P-3) passed in CRM-M-15866 of 2020. On the ground of parity alone the petitioner is entitled to the same concession. According to him, conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

4. On the other hand, learned State counsel vehemently opposes the grant of regular bail to the petitioner. However, he admits that co-accused has already been granted the bail and star witnesses have turned hostile to the prosecution version/case.

5. Taking into account the aforesaid facts, without commenting on the merits of the case, the petition is allowed. Petitioner shall be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/ Duty Magistrate, as the case may be.

September 01, 2020
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No