

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26365-2020 (O&M)

Date of Decision:- 27.11.2020

Vijay Kumar ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amandeep Singh Rai, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.45, dated 23.3.2019, Police Station Model Town, District Ludhiana, under Sections 302, 201 IPC (Section 120-B IPC added later on) pertaining to alleged murder of Jari Lal Mandal.
2. The learned counsel for the petitioner has submitted that it is a case based on circumstantial evidence and that all the material witnesses including PW Raju before whom the petitioner is alleged to have made extra judicial confession have since been examined before the Trial Court and have resiled. The learned counsel has further submitted that co-accused namely Rahul and Pardeep have already

been granted bail by this Court, wherein the said fact was duly noticed.

3. The aforesaid position is not disputed by the learned State counsel, who has also informed that the petitioner has presently been behind bars since the last about one year and three months and that he is not involved in any other case.
4. Having regard to the aforestated actual position, wherein this Court finds that it is a case based on circumstantial evidence and that material witnesses have already examined and that identically situated co-accused have already been granted bail, the petition is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

November 27, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No