

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

212

**CRM-M No.31490 of 2019 (O&M)
Date of Decision:- 04.02.2020**

Manpreet Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Jagmohan Singh Ghumman, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.173 dated 17.08.2018, registered under Sections 302, 201 and 34 of IPC at Police Station Jandiala, District Amritsar, Rural.

Petitioner seeks regular bail on the ground of parity. Co-accused Lakhbir Singh @ Gabbar has already been granted regular bail in CRM-M No.51978 of 2019 on 12.12.2019 by this Court.

The FIR was registered on the basis of last seen

version. As per allegations, the brother of the complainant namely Harpreet Singh @ Happy was a driver by profession. On 16.08.2018, he had gone for his work in the morning at about 7 a.m. At 10:30 am, the complainant saw his brother in the company of Dilawar Singh, Manpreet singh, Lakhbir Singh @ Gabbar and Bhinda. On the next day, dead body of Harpreet Singh @ Happy was found in a small canal.

Lakhbir Singh @ Gabbar has been granted bail by this Court on the basis of mere statement of last seen which was *prima facie* opined not to be sufficient.

Learned State counsel on instructions from ASI Jagdev Singh, however opposes the prayer on the ground that the petitioner and other co-accused have been involved in a heinous crime.

It is not in dispute that at this stage except the statement of last seen, there is no further incriminating material available on police file. The case appears to be debatable.

Petitioner is in custody since 18.08.2019.

In the light of aforesaid facts and without meaning anything on the merits of the case, it would be just and appropriate to release the petitioner on regular bail.

In view of above, the present petition is allowed and the petitioner is ordered to be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of

the Trial Court/Duty Magistrate concerned.

Nothing expressed hereinabove shall be construed to be an opinion on merits of the case.

04.02.2020

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(Raj Mohan Singh)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No