

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

**CRM-M-41499-2019 (O&M)
Date of Decision : 16.01.2020**

Joginder Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Bikramjit Singh Baath, Advocate
for the petitioner.

Mr. N.K.Banka, DAG, Punjab.

RAMENDRA JAIN, J. (Oral)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.14 dated 05.02.2019, registered under Sections 302/ 34 IPC (Sections 201/182 IPC added lateron), at Police Station Qadian, District Batala.

Briefly, on 05.02.2019, the petitioner vide aforesaid FIR, got lodged missing report of his younger son Manjinder Singh, a taxi driver. However, during investigation, it revealed that petitioner himself had murdered his son and concocted a false story. Thus, the petitioner was arrayed as accused and sent to face trial under Sections 302, 201, 182, 34 IPC.

Learned counsel contends that all the three material prosecution witnesses to the extra judicial confession of petitioner have turned hostile. The case is based on circumstantial evidence

on the basis of alleged extra judicial confession made before Sub Inspector Baldev Singh which is a very weak type of evidence. The petitioner is in custody since 08.02.2019. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the instant petition is allowed. Consequently, petitioner Joginder Singh is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

16.01.2020
mamta

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No