

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

Sr. No.201

DATE OF DECISION: 07.10.2020

1.

Crl. Misc. No.M-47626 of 2019

AMRINDER SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

2.

Crl. Misc. No.M-16942 of 2020

TAJINDER KAUR @ RUBBY

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Divjyot S. Sandhu, Advocate,
for the petitioner in CRM-M-47626-2019.

Mr. Gaurav Singla, Advocate,
for the petitioner in CRM-M-16942-2020.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

This order shall dispose of two petitions i.e. CRM-M-47626-2019 and CRM-M-16942-2020 as the petitioners therein are co-accused in FIR No.22, dated 23.02.2017, registered at Police Station Division No.4, Jalandhar, under Sections 302, 307, 452, 34, 120-B IPC and Sections 25, 27 of Arms Act, 1959.

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Learned counsel for the petitioners have argued that the petitioners have been in custody for over three and a half years. The trial has not progressed very much as only 06 PWs out of a total of 37 PWs have been examined. There is no other criminal case pending against the petitioners. The complainant has already been examined and thus, there can be no apprehension of the petitioners attempting to win over the witnesses. Thus, they may be granted regular bail.

Custody certificates dated 06.10.2020 have been produced in Court. The same are taken on record. According to these certificates, the petitioners have undergone actual custody of 03 years, 07 months and 02 days. There is no other criminal case pending against them.

Learned State counsel concedes that only 06 PWs have been examined out of a total of 37 PWs. He, however, opposes the bail on the ground that petitioner Amrinder Singh conspired with Tajinder Kaur @ Rubby to kill his mother, wife and wife's friend through contract killers as they were having an affair. An extremely heinous offence has been committed and they cannot claim the discretionary relief of regular bail.

No evidence has been placed on record and thus, I am not in a position to make any observations on the merits of the case. In any case, any observation made on merits might affect the outcome of the trial. At this stage, it is sufficient to record that the petitioners have been in custody for 03 years, 07 months and 02 days and the trial is no where near

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completion. There is no other criminal case pending against the petitioners and they deserve to be granted regular bail.

Accordingly, the petition is allowed and the petitioners are directed to be released on regular bail on their furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

07.10.2020
Ankur

(SUDHIR MITTAL)
JUDGE

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