

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.54912 of 2019 (O&M)
Date of Decision.08.09.2020
(Heard through VC)

Manpreet Singh and another

...Petitioners

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Veneet Sharma, Advocate
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.72 dated 16.06.2018 under Sections 302, 308, 323, 120-B, 148, 149 IPC registered at Police Station B-Division, Amritsar City, District Amritsar.

Counsel for the petitioners herein would contend that names of petitioners have wrongly been involved in this case by the police. Otherwise, even the alleged injured eye-witness, who has been examined before the Court as a witness, has deposed that the petitioners were not the persons, who attacked the deceased. The co-accused namely Hardeep Singh has already been granted bail by this Court vide order dated 05.12.2019 passed in CRM-M No.26572 of 2019. Challan has already been presented and therefore, the petitioners are entitled to concession of bail.

Learned counsel appearing for the respondent-State on instructions from ASI Manjinder Singh opposes the bail application by submitting that there is CCTV footage of the incident with the police and the

same has been placed on file of the trial Court as evidence. In that CCTV footage, the petitioners are seen pelting stones.

As response to this, learned counsel for the petitioners submits that statement of the Investigating Officer is factually incorrect. In the CCTV footage, petitioners are not seen pelting stones on anybody.

I have heard learned counsel for the parties.

Keeping in view the fact that prosecution witnesses have not supported its case and the co-accused has already been granted bail by this Court coupled with the fact that the trial is likely to take some time to conclude due to COVID-19 situation, no useful purpose would be served in keeping the petitioners behind the bars. The instant petition is allowed and the petitioners are directed to be released on regular bail on execution of adequate personal/surety bonds to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

September 08, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No