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

CRM-M-1384-2020 (O&M)  
Date of decision : 06.01.2021

Sandeep Singh @ Khosa

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Anterpreet Singh, Advocate for the petitioner.

Mr. S.S. Deol, DAG, Punjab alongwith  
ASI Gursewak Singh.

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**ANIL KSHETARPAL, J. (ORAL)**

This is second petition for grant of bail pending trial in a criminal case arising from FIR No.220 dated 07.07.2018 registered under Sections 459, 460, 380 (later on added Sections 302, 411, 120-B IPC) at Police Station Dakha, District Ludhiana (Rural).

The first application was dismissed as withdrawn on 11.07.2019. As per case of the prosecution, three clean shaven persons entered the house of the first informant and Boria gave blow on the head of the deceased-Sangeeta with iron *daah* (cutter) while looting certain jewelry items.

Learned counsel for the petitioner contends that the petitioner is in custody since 17.07.2018 and he is sought to be falsely implicated on the statement of Sudhir Rajak, the deceased's husband on the basis of suspicion.

He further submits that the prosecution has not collected any material

evidence to connect the petitioner with the offence. He further submits that no Test Identification Parade has been carried.

On the other hand, Mr. S.S. Deol, DAG, Punjab has pointed out that apart from the supplementary statement of Sudhir Rajak ( the deceased's husband), the motorcycle involved for coming to the place of occurrence, which is in name of the petitioner's father, has been recovered from the petitioner . He further submits that the co-accused has also suffered disclosure statement showing his involvement in the crime.

This Court has considered the submissions. It is clear that the prosecution has not collected any forensic evidence to prove the involvement of the petitioner. The only eye-witness Shambhu Gujjar has stated that he could not properly see the accused.

The petitioner is in custody since 17.07.2018. Mr. S.S. Deol, DAG, Punjab on instructions from ASI Gursewak Singh, has stated that the petitioner does not have criminal antecedents.

Without commenting on the merits of the case and keeping in view the aforesaid facts, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the petition is allowed.

**06.01.2021**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:-                      Yes/No**

**Whether reportable:-                                      Yes/No**