

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(Through Video Conferencing)**

CRM-M-6357-2021

Date of Decision: 18.02.2021

TARSEM SINGH AND ANOTHER

.....Petitioners

V/s.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Fariad Singh Virk, Advocate,
 for the petitioner.

Mr. H.S. Multani, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioners in case FIR No.62 dated 08.04.2019 registered under Sections 304-B and 120-B of the Indian Penal Code, 1860 (Section 302 of the IPC, 1860 added lateron in challan and charges framed under Section 304-B and 120-B of the IPC, 1860) at Police Station Patran, District Patiala.

Learned counsel for the petitioners contends that the petitioners who are the brothers-in-law of Ramrakhi have been in custody since 06.08.2019 and 12.08.2019 respectively. It has been further submitted that as evidence has not yet commenced. They may be extended the concession of the regular bail as similarly situated co-accused namely Sher Singh and Santosh Rani @ Santosh have since been granted the regular bail by this court vide order dated 17.12.2020 and 27.01.2021 respectively. It has been further submitted that a perusal of the contents of the FIR in question reveals

that there are no specific allegations leveled against the petitioners except that they alongwith the co-accused conspired to kill the deceased and besides this there is no other material on record to connect the petitioners with the crime in question.

Per contra, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioners. He has, however, not been able to controvert the factual aspect of the submissions made by the learned counsel for the petitioners *qua* their role in the crime in question.

Heard

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioners have been in custody since 06.08.2019 and 12.08.2019, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic COVID-19. The present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

February 18, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>