

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

CRM-M No.8191 of 2021

Date of Decision: 01.03.2021

Suleman

...Petitioner

Versus

State of Punjab

....Respondent

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

Present:- Ms. Monita Mehta, Advocate
for the petitioner.

Mr. Luvinder Sofat, A.A.G., Punjab.

Mr. Veneet Chaudhary, Advocate
for the complainant.

Manjari Nehru Kaul, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner, in case FIR No.34 dated 22.04.2016 registered under Section 396 IPC at Police Station Bullowal, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner who has been in custody since 06.06.2016 has been falsely implicated in the case. She further submits that the petitioner was not named in the FIR and was arrested subsequent to an extra judicial confession allegedly made by him before Kulwinder Singh, Ex-Sarpanch of the Village Randhawa Bharotta. She further submits that the extra judicial confession was made after more than six weeks of the alleged occurrence which cast a serious doubt about its authenticity as the petitioner and the said Kulwinder Singh

admittedly were complete strangers to each other and hence there could not have been any occasion for the petitioner to go and make the aforementioned statement to him. Learned counsel further submits that out of total 24 witnesses, only 05 witnesses have been examined. She further submits that five other FIRs were registered against the petitioner but he was acquitted in all of them.

Per contra, learned State counsel has opposed the grant of bail to the petitioner on the ground of seriousness of offence. However, she has not been able to controvert that the only evidence against the petitioner was his extra judicial confession made before Kulwinder Singh.

Heard.

Keeping in view the fact that the petitioner has been in custody since 06.06.2016 and due to the outbreak of the pandemic Covid-19, the trial is unlikely to conclude in the near future, I deem it a fit case to grant the concession of bail to the petitioner. Therefore, without expressing anything on the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

March 01, 2021
gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No