

**219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-13336-2021
Decided on : 26.03.2021

Jaswant Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

This is the third petition filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.43 dated 18.03.2020 registered under Sections 302 IPC, 1860 at Police Station Dhariwal District Gurdaspur (Annexure P-1).

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the case in hand for the murder of his father. It has been submitted that it was a case of circumstantial evidence and there was no qualitative evidence on record to link the petitioner with the alleged crime. Learned counsel has further submitted that the two material witnesses i.e. Jasbir Kaur, mother of the petitioner and Davinder Kaur, wife of the petitioner (witness of extra judicial confession) did not support the case of the prosecution and were declared hostile. He has further contended that the petitioner, who has been in custody since 20.03.2020, may be extended the concession of bail as there is no likelihood of the trial concluding in the near future.

Per contra, learned State counsel has opposed the prayer and submissions of learned counsel for the petitioner. He has conceded that no doubt the two material witnesses i.e. mother and wife of the petitioner did not support the case of the prosecution and were declared hostile but the reason for them turning hostile was that the petitioner is none other than their son and husband respectively. He on instructions from ASI Satnam Singh has submitted that 5 out of 15 prosecution witnesses stand examined and the next date of hearing is 08.04.2021 when some more witnesses are likely to be examined and hence, the trial shall not take much time to conclude.

Heard.

Prima facie, there are serious allegations against the petitioner in the FIR in question for which he does not deserve the concession of bail. Accordingly, the present petition stands dismissed. However, the trial Court shall endeavour to expedite the trial and conclude the same preferably within a period of six months.

(MANJARI NEHRU KAUL)
JUDGE

26.03.2021
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No