

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16515-2021
Date of Decision: 23.04.2021

Manpreet Singh @ Meet Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mr. Randhir Thind, DAG, Punjab.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present one is the second petition under Section 439 of Criminal Procedure Code for grant of regular bail in FIR No.36 dated 16.04.2019 under Sections 302, 201 and 34 of Indian Penal Code, 1860, registered at Police Station GRP Bathinda, District Bathinda.

The petitioner had earlier filed regular bail application which was dismissed as withdrawn at this stage on 18.12.2020. The learned counsel for the petitioner has submitted that the petitioner is in custody since 18.04.2019 and material witnesses have been examined and, therefore, he may be considered for grant of regular bail. He has further submitted that in the present case the name of the petitioner was not mentioned in the FIR but it was being purported on the basis of extra judicial confession of the

petitioner before one Raj Singh and one Sukhwinder Singh but during the trial both of them have been declared as hostile. Even the mother of the deceased has also turned hostile at the time of trial.

On the other hand, learned State counsel has submitted that although it is correct that three witnesses as stated above have been declared hostile but the father of the deceased is yet to be examined apart from the other material witnesses including doctors. He submitted that since some of the material witnesses are yet to be examined and looking the allegations contained in the FIR and the severity of the case wherein the head of the girl was cut off from the body, the petitioner does not deserve the concession of bail.

I have heard the learned counsel for the parties.

The custody period of the petitioner has not been disputed by the learned State counsel. However, he has submitted that all the material witnesses have not been examined. He has stated on instructions that only 6 witnesses out of 28 cited prosecution witnesses have been examined and one of the material witnesses i.e. father of the deceased is yet to be examined. As per allegations in the FIR the body of the deceased-girl was found near the canal of railway line in a naked condition and without head which was found separately and the neck was severed with sharp edged weapon lying about one kilometer ahead in the same canal. No doubt the severity of the case is very high. The submission made by the learned counsel for the petitioner that some of the witnesses have turned hostile would not vest any right in the petitioner to seek regular bail on this ground only. The material witnesses

are yet to be examined and, therefore, this Court does not find it a fit case for granting bail to the petitioner at this stage.

Consequently, the present petition is hereby dismissed.

23.04.2021

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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