IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

201

CRM-M No.17544 of 2021(O&M)

Date of Decision: 11.05.2021

Jaspreet Singh ....Petitioner

Versus

State of Punjab ....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. B.S. Jatana, Advocate for petitioner.

Mr. Mehardeep Singh, Additional A.G. Punjab.

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Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Jaspreet Singh** for grant of regular bail in case FIR No.87 dated 10.05.2019 under Section 302 IPC read with Section 34 IPC, registered at Police Station Samana, District Patiala.

Copy of custody certificate filed by respondent-State is taken on record.

Learned counsel for the petitioner *inter alia* contends that prosecution version, as alleged, is totally concocted one and there is no iota of truth therein. He further submits that material witnesses namely Harwinder Singh-complainant (PW-1) and Lakhwinder Singh (PW-4), father

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of victim (since deceased), when appeared in the witness-box have totally resiled from prosecution version. He further submits that co-accused Sukhpreet Kaur and Harpreet Singh have already been extended concession of regular bail by this Court, vide order dated 27.05.2020 passed in CRM-M-9007-2020 and order dated 31.03.2021 passed in CRM-M-28206-2020 respectively. He further urges that petitioner is in custody since 11.05.2019 and he is no more required by the Police for any investigation purpose. He further submits that since trial of the case would take sufficient time to conclude no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing the cause of petitioner has vehemently argued that in view of seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and gone through the contents of petition.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that material witnesses namely Harwinder Singh complainant (PW-1) and Lakhwinder Singh (PW-4), father of victim (since deceased), have already been examined; that petitioner is in custody since 11.05.2019 and he is no more required by the Investigating Agency for investigation purpose; and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

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In view of above, instant petition for grant of regular bail moved by petitioner- Jaspreet Singh is allowed and he is ordered to be released on bail on his furnishing personal bond and surety bond to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Patiala, as the case may be.

(LALIT BATRA)
JUDGE

11.05.2021
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Whether speaking/ reasoned : Yes/No
Whether Reportable : Yes/No

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