

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

214

CRM-M-20654-2021

Date of decision : 28.05.2021.

Sahil and another

... Petitioners

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Veneet Sharma, Advocate for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioners are seeking regular bail in FIR No.132 dated 03.07.2020, under Section 346 IPC (Sections 304, 120-B, 201 added later on), registered at Police Station Mohkampura, District Amritsar.

Learned counsel for the petitioners contends that initially FIR had been registered under Section 346 on 03.07.2020 as the son of the complainant was alleged to be missing. The complainant made another statement on 23.08.2020 wherein he had suspected petitioners and other accused, who were friends of his son that they had taken him to the canal and pushed him in the water. He, however, contends that no motive has been attributed to the petitioners or other accused. The petitioners are being arraigned as accused merely on suspicion. The son of the complainant is still missing. He further contends that petitioner No.1 is 20 years of age while petitioner No.2 is 19 year old and are in custody for over 08 months. He also contends that co-accused, namely, Kuldeep Singh has been granted regular bail by this Court in CRM-M-19607-2021, on 24.05.2021.

Learned State counsel has filed custody certificate of petitioner No.1, which indicates that he is in custody for 08 months and 24 days. He upon instructions from ASI Tarsem Singh states that the challan has been filed but no prosecution witness has been examined. He also contends that a burnt mobile phone allegedly belonging to the deceased was recovered from petitioner No.2.

Heard through video conferencing.

In view of the above, especially when the petitioners, who are 20/19 years of age, are in custody for over 08 months, no motive is attributed to them, co-accused has been granted bail, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioners.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

May 28, 2021
sonia gugnani

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