

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

101

CRM-M-28206-2020

Date of Decision: 31.03.2021

Harpreet 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 Advocate General, Punjab.

Lalit Batra, J.(Oral)

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Harpreet 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.

Status report dated 09.03.2021 has been received from Court concerned.

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 of victim (since deceased), when appeared in the witness-box have totally resiled from prosecution version. He further submits that co-accused Sukhpreet Kaur has already been extended the concession of regular bail by this Court, vide order dated 27.05.2020 passed in CRM-M-9007-2020. 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 as well as reply furnished at the instance of respondent-State.

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 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.

In view of above, instant petition for grant of regular bail moved by petitioner-**Harpreet 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

31.03.2021

Varinder Prashad

VARINDER PRASHAD
2021.03.31 18:24
I attest to the accuracy and
integrity of this document

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