

CRM-M-39600-2020

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

CRM-M-39600-2020

Date of decision:08.07.2021

Vicky @ Ooti

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ashdeep Singh, Advocate,
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G.Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.111 dated 01.05.2018, registered at Police Station GRP, Ludhiana, under Sections 302, 379-B, 341 and 34 IPC.

Learned counsel for the petitioner contends that the alleged occurrence took place on 22.04.2018, whereas the above-noted FIR was registered on 01.05.2018 i.e. after an inordinate delay of 09 days. The petitioner was not named in the FIR and has been indicted on the basis of confessional statement of co-accused, Sarwan @ Gogia. Except for the confessional statement of the co-accused, there is nothing on record to connect the petitioner with the crime. No injury has been attributed to him. There is no other case registered or pending against him. He has been in custody for the last more than 03 years and 01 month.

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Learned State counsel, while opposing the submissions made by the learned counsel for the petitioner, contends that recovery of SIM card of the deceased, has been effected from the petitioner. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been indicted in the present case on the basis of the confessional statement of the co-accused, as noticed above. The petitioner has been as been in custody since 18.05.2018. Trial of the case would take time to conclude, especially due to Covid-19. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

08.07.2021
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No