

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-45649-2021

DATE OF DECISION: 10.11.2021

MAJOR SINGH @ SONU @ JHANU

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. R.K. Arya, Advocate for the petitioner.

Mr. Rakeshinder Singh, AAG, Punjab.

Ms. Sukhveer Kaur, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 0202 dated 28.11.2017, under Sections 302, 450, 34 IPC, registered at Police Station Ajnala, District Amritsar.

Learned counsel for the petitioner contends that the petitioner who was empty handed was attributed 'lalkara', kick and fist blows to the deceased. He further contends that the complainant, who are the brother and the mother of the deceased in their deposition as PW-4 and PW-6 respectively have not supported the prosecution case qua the involvement of the petitioner. He is in custody for over 2 years and 3 months. The co-accused Sahib Singh @ Saba has been granted regular bail by this court in CRM-M-12335-2021 on 14.10.2021. The petitioner does not have any criminal antecedents.

Learned State counsel, upon instructions from ASI Ranjit Singh, contends that the petitioner had earlier been declared as proclaimed offender in the year 2018 and was arrested after a year in 2019. However, he is not in a position to controvert the submissions of the learned counsel for the petitioner that the complainants, who are the brother and the mother of the deceased have not supported the prosecution case qua the involvement of the petitioner. He has filed custody certificate which indicates that the petitioner is in custody for a period of 2 years, 3 months and 20 days.

Learned counsel for the complainant has put in appearance and states that the complainant does not object to the release of the petitioner on regular bail.

Heard.

In view of the above, especially when the petitioner is in custody for over 2 years and 3 months, the COVID-19 pandemic, the co-accused has been granted regular bail 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 petitioner.

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

(ANUPINDER SINGH GREWAL)
JUDGE

10.11.2021

SwarnjitS

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