

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

204

CRM-M-23570-2022

Date of decision: 26.07.2022

PARDEEP SINGH

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Tarun Deep Kumar, Advocate
for the petitioner.

Mr. Nikhil Chopra, Addl. Advocate General, Punjab.

ANIL KSHETARPAL, J(Oral)

This is the petitioner's 3rd attempt to get bail during the pendency of the trial in a criminal case arising from FIR No.195, dated 23.09.2017, registered under Section 302, 120-B, IPC, at Police Station Hathur, District Ludhiana Rural.

The petitioner has already suffered incarceration for a period of 4 years, 9 months and 27 days. The petitioner does not have any other criminal antecedents. As per the case of the prosecution, an unknown body was found lying in between the Canal and Sh. Teja Singh's land. On the information given by the Sarpanch of the Village Akhara, the FIR was registered.

Sh. Nikhil Chopra, Additional Advocate General, Punjab, submits that the petitioner has relationship with Smt. Rajwinder Kaur who was fiance of the deceased late Sh. Satnam Singh and there is evidence of them last seen together.

It has been noticed that the prosecution intends to examine 21 total witnesses out of which only 8 witnesses have been examined, whereas,

1 has been given up.

The first bail application was dismissed as withdrawn, whereas, the second bail application was disposed of on 07.09.2021 while requesting the Court for expeditious disposal of the Court.

The learned counsel representing the State of Punjab has failed to draw the attention of the Court to any forensic evidence proving the involvement of the petitioner. The prosecution's case is entirely dependent upon oral evidence.

The conclusion of the trial is likely to take a long time. The petitioner has already suffered incarceration for a period of 4 years, 9 months and 27 days. Hence, further incarceration of the petitioner, at this stage, is inappropriate.

Without commenting on the merits of the case and keeping in view the aforesaid facts, it is considered appropriate to release the petitioner on regular bail on furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate/Area Magistrate.

Accordingly, the petition is allowed with the aforesaid directions.

All the pending miscellaneous applications, if any, are also disposed of.

July 26th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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