

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207

CRM-M-6883-2022

DATE OF DECISION: 28.03.2022

SARABJIT SINGH ALIAS SARBJIT SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Narinder S. Lucky, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.230 dated 25.11.2017, under Section 302 IPC, registered at Police Station Rama Mandi, Police Commissionerate Jalandhar.

Learned counsel for the petitioner contends that the petitioner has been implicated as it is alleged that he was having an affair with the daughter of the deceased and the deceased had objection to the relationship. He, however, contends that the petitioner has been residing in Dubai since 2017 while the daughter of the deceased had gone to Canada for higher studies. It is also alleged that there was CCTV footage that the petitioner was crossing the street early in the morning. He, however, contends that PW Mohan Singh who had allegedly seen the petitioner coming down from the stairs of the house did not support the prosecution case *qua* the involvement of the petitioner. It was also found that the CCTV camera footage had been corrupted. The petitioner is in custody for over 4 years. He has referred to the zimni order of the trial Court dated 12.07.2021 which is reproduced hereunder:-

“PW3 Mohan Singh has come present for his cross examination by learned defence counsel. His cross-examination was deferred as he wanted to confront with the recording of CCTV camera converted into VCD. The same is produced by the prosecution. Since it was corrupt and it has not played. Even when with great difficulty it was opened and it was found blank.”

Learned State counsel, upon instructions from SI Nirmal Singh, contends that 7 out of 27 prosecution witnesses have been examined. He also states that the petitioner is also involved in three offences under the Prisons Act.

Heard.

In view of the above, especially when the petitioner is in custody for over 4 years, the 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 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

28.03.2022

SwarnjitS

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