

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9511-2022
Date of Decision: 10.03.2022

Happy Kumar @ Happy

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ashish Aggarwal, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.115 dated 21.10.2021, under Sections 307, 326-A IPC (Sections 306 and 302 IPC added later on), registered at Police Station Mohkampura, District Amritsar City.

The learned counsel for the petitioner has submitted that the petitioner is in custody from 04.12.2021 and investigation of the case is already complete. He further submitted that it is a case where initially the allegations were that one deceased Manpreet Singh had died of some burn and during the investigation it was found that there was a CCTV footage where it could be seen that deceased Manpreet Singh had himself poured oil on his body and had set himself ablaze. He further submitted that all the

other co-accused who were at parity with the petitioner have been granted bail by this Court.

On the other hand, Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab has submitted that it is correct that the petitioner is in custody from 04.12.2021 and investigation of the case is already complete and all the other co-accused who were at parity with the petitioner have been granted bail by this Court.

I have heard the learned counsel for the parties.

The petitioner is in custody from 04.12.2021 and investigation of the case is already complete and all the other co-accused who were at parity with the petitioner have been granted bail by this Court. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper evidence or may flee from justice.

Therefore, without commenting on the merits of the case and considering the totality of circumstances, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

10.03.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No