

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

Sr. No.202

CRM-M-17971 of 2021

Date of Decision: 28.01.2022

Rajiv Kumar

....Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Charanpreet Singh, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

SANT PARKASH, J.

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

The present petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.131 dated 19.09.2019, registered under Sections 302, 201 and 34 IPC at Police Station Meharban, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR as he has not been named in the FIR and has been nominated merely on the oral statement of the father of the deceased. The present case is based on circumstantial evidence and there is no last seen evidence which could connect the petitioner with the alleged commission of murder. Learned counsel further contends that PW-1 Jagroop Singh and PW-3 Asha Devi, relied upon by the prosecution, have also turned hostile and have not supported the prosecution version. Further arguing in favour of the petitioner, learned counsel submits that the petitioner has already undergone 02 years 04 months and 04 days of

incarceration and that the co-accused of the present petitioner has also been granted concession of regular bail by this Court vide order dated 21.12.2021

Learned State counsel does not dispute the facts submitted by learned counsel for the petitioner.

Heard.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate.

The petition is allowed.

(SANT PARKASH)
JUDGE

28.01.2022
Maninder

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