

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-28517 of 2022

Date of Decision: 12th July, 2022

Vikas

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. D. S. Virk, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J.(Oral)

This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 47 dated 7.4.2016, under Sections 302, 506, 148 and 149 IPC and Section 25 of the Arms Act, 1959 registered at Police Station Dugri, District Ludhiana.

The FIR was got registered alleging that Vikrant was murdered by the accused named in the FIR. The petitioner was nominated on the basis of an extra judicial confession made before Shamsheer Singh Sarpanch. The role attributed to the petitioner is that he gave shelter to the co-accused.

Learned counsel for the petitioner submits that the petitioner is in custody since 9.10.2021, all co-accused have been acquitted as the complainant turned hostile, the petitioner was in custody in another case and was declared proclaimed offender in case of present FIR.

Learned counsel for the State opposes the prayer for grant of bail.

The petitioner is in custody since 9.10.2021, other co-accused have been acquitted and conclusion of trial is likely to take time. Considering the nature of allegations against the petitioner and the fact that the petitioner was nominated on the basis of an extra judicial confession, he was declared proclaimed offender while being in custody in another FIR and no useful purpose would be served by depriving the personal liberty of the petitioner.

The petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

12th July, 2022
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Whether reasoned/speaking	Yes
Whether reportable	No