

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-6181-2021 (O & M)

Date of Decision: August 23, 2022

FAUJI @ BALJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.M.D.Khan, Advocate for the petitioner.

Mr. Arun William, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.43 dated 24.09.2017, under Sections 365, 120-B, 302, 201 IPC, registered at Police Station Ghanie Ke Bangar, Tehsil Batala, District Gurdaspur.

Learned counsel for the petitioner submits that it is alleged in the FIR that the brother of the petitioner namely Ranjit Singh was in a relationship with the deceased although she was married to one Mukhtiar Singh. The petitioner has been arraigned as an accused on the statement of co-accused Ranjit Singh and besides the statement of co-accused, there is no credible material to implicate the petitioner in the alleged offence. He further submits that body of Amarjit Kaur has not been recovered. The petitioner is in custody for over 2 ½ years and does not have any criminal antecedents.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 02 years, 06 months and 21 days. He upon instructions from ASI Kulwinder Singh submits that 30 out of 43 prosecution witnesses have been examined. He further states that in view of the serious allegation against the petitioner, he is not entitled to the concession of regular bail. There are call details of the petitioner with the co-accused Ranjit Singh.

Heard.

The petitioner has been arraigned as an accused on the statement of co-accused Ranjit Singh. Merely because the petitioner was in touch with co-accused Ranjit Singh, who is his brother, would not by itself be held to be an incriminating circumstance. There is no other material to implicate the petitioner in the commission of offence. He is in custody for over 2 ½ years. He is not involved in any other case 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.

In view of the above and without expressing any opinion on the merits of the case, the 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

August 23, 2022
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No