

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51099-2022

Date of Decision: 10.11.2022

BEANT SINGH

....Petitioner(s)

Versus

STATE OF HARYANA

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Gaurav Antwal, Advocate, for the petitioner.

Mr. Naveen Singh Panwar, Deputy Advocate General, Haryana.

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. 148 dated 03.09.2020, under Sections 302, 201, 120-B and 34 IPC , registered at Police Station Baragudha, District Sirsa.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 29.11.2021 which is almost one year and three witnesses have already been examined. He submitted that it is a case based upon circumstantial evidence and the other co-accused namely, Jaswinder Singh @ Jassa and Gurmail Kaur who were the main accused in the present case have been extended the benefit of regular bail by this Court in CRM-M-31610-2021 and CRM-M-3206 of 2022 on 27.09.2022. He further submitted that petitioner is not involved in any other case and has got clean antecedents and the trial of the case may take long time and considering the aforesaid position, he may be considered for the grant of regular bail.

On the other hand, Mr. Naveen Singh Panwar, learned Deputy

Advocate General, Haryana has submitted that it is correct that the petitioner is in custody from 29.11.2021 and three witnesses have already been examined. He submitted that it is also correct that the other co-accused namely Jaswinder Singh @ Jassa and Gurmail Kaur have been extended the benefit of regular bail by this Court.

I have heard the learned counsel for the parties.

It is a case which appears to be based upon circumstantial evidence and there was a delay of 8 days in filing a complaint to the police and rather prior to the aforesaid 8 days, a Panchayat was convened in this regard and FIR was lodged after a period of one month. The other co-accused namely Jaswinder Singh @ Jassa and Gurmail Kaur have been extended the benefit of regular bail by this Court and the petitioner is at parity with the aforesaid co-accused. 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 with evidence or may flee from justice.

In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

Consequently, 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.

10.11.2022
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(JASGURPREET SINGH PURI)
JUDGE

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