

103+ 220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:109088
CRM-35050-2023 in/and
CRM-M-15386-2023
Date of Decision: August 22, 2023

Rohan Verma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Piyush Sharma, Advocate for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

CRM-35050-2023

This is an application to place on record testimony of PW2
Rajinder Sharma recorded by learned Trial Court as Annexure P-5.

Allowed.

Annexure P-5 is taken on record.

Main Case

Status report by way of affidavit dated 08.08.2023 of Shri
Mandeep Singh, ACP(West) Ludhiana, has been filed on behalf of
respondent-State.

Custody certificate of the petitioner has also been filed.

By way of this petition filed under Section 439 Cr.P.C. is for
grant of regular bail in case FIR No.180, dated 20.05.2020, under
Sections 302 and 34 of IPC, registered at Police Station Haibowal,
District Police Commissionerate Ludhiana (Section 411 IPC added later
on).

As per allegations, three persons with muffled face caused
knife injury on the chest of Ramu, resulting in his death. FIR was lodged

on the statement of Santosh, the brother of deceased Ramu. It is also the allegation that one Rajinder Sharma overheard petitioner Rohan Verma and two co-accused, namely, Tarun and Nitin, to have committed the crime and as per that statement, it is Tarun, who allegedly gave knife blow in the chest of deceased Ramu.

It is contended by learned counsel for the petitioner that neither PW1 Santosh, complainant of the case nor Rajinder Sharma before whom the extra judicial confession was allegedly made, have supported the prosecution case. Attention in this regard is drawn towards the testimonies (Annexures P-3 and P-5) made by these witnesses before the Trial Court.

Learned State counsel does not dispute the aforesaid facts. However, it is stated that recovery of knife was effected from the petitioner.

Having regard to the fact that neither the eye witness Santosh nor the other witness Rajinder Sharma have supported the case of prosecution and also considering the fact that the petitioner is in custody for the last 03 years, 02 months and 12 days and the trial may take time to conclude, but without commenting anything further on the merits of the case, the petitioner is admitted to bail. He is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

August 22, 2023
sarita

(DEEPAK GUPTA)
JUDGE