

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

**CRM-M-22728-2023 (O&M)
Date of decision-11.10.2023**

Pargat Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Kanwaljeet Singh Brar, Advocate for the petitioner.

RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.148 dated 26.10.2022 registered under Sections 304 and 34 of Indian Penal Code, 1860 at Police Station Raman, District Bathinda.

It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally concocted, false and frivolous. The allegation is of being last seen with the deceased. The said allegation pertains qua several accused, including the co-accused Parkash Singh. However, co-accused Parkash Singh has been released on anticipatory bail. There is no difference between the allegations levelled against the petitioner and the ones levelled against the co-accused Parkash Singh. The petitioner is in custody since 21.03.02023. Hence, the petitioner deserves to be released on bail pending trial.

Notice of motion.

Mr. Jaspal Singh Guru, AAG, Punjab, accepts notice on behalf of the respondent-State.

Custody certificate of the petitioner filed in Court today and the same is taken on record.

Reply by way of affidavit of Rajesh Snehi Batta, PPS Deputy Superintendent of Police, Sub Division Talwandi Sabo, District Bathinda has been filed and the same is taken on record.

Learned counsel for the State being instructed by ASI Naresh Kumar has submitted that the petitioner is one of the persons, who was seen last immediately before the death of the deceased. Therefore, the petitioner is directly involved in the crime. Learned State counsel has further submitted that the petitioner happens to be involved in two more cases for having committed offences under Excise Act and NDPS Act. However, it is not disputed that the other co-accused, against whom similar allegations have been levelled, has already been granted anticipatory bail. It is also not disputed that the petitioner is in custody since 21.03.2023.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

11.10.2023

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