

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

207

CRM-M-57043-2022

Date of Decision: 19.04.2023

AMRIK SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. RS Sekhon, Advocate
for the petitioner.

Ms. Ishma Randhawa, Additional AG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.108 dated 15.06.2019, registered at Police Station Lambi, District Sri Muktsar Sahib, under Sections 302, 201 and 34 IPC and Sections 30, 54 and 59 of the Arms Act, 1959 (added later on).

Learned counsel for the petitioner contends that the above-noted FIR was registered against unknown person; that it is a case of a blind murder; that the dead-body of Kashmir Singh, father-in-law of the complainant, was found floating in the river canal, with injuries on the face; that Satnam Singh, son of the deceased, and the petitioner were indicted in the present case at a later stage; that complainant-Jasbir Singh (son-in-law of the deceased) and Swaran Singh, while stepping into the witness-box as PW-1 and PW-2, have not supported the prosecution version and have been declared hostile and that the petitioner has been in custody since 16.06.2019.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. She, however, submits that the petitioner had actively participated in the occurrence, inasmuch as, he along with Satnam Singh and Nirmal Singh, have committed murder of Kashmir Singh, who was having illicit relation with Prabhjot Kaur (sister-in-law of Satnam Singh). She further submits that scootery of the deceased and tarpaulin were recovered at the instance of the petitioner and that the material witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.06.2019. The dead body of Kashmir Singh was found floating in a river canal with injuries on the face. Complainant and Swaran Singh (PW-1 and PW-2) have not supported the prosecution version and turned hostile. Most of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

19.04.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*