

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

CRM-M-63447-2023

Date of decision : 21.12.2023

**MOHAMMAD ANSURAL SHEIKH @ ANSHU SHEIKH
....PETITIONER**

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr. P.S. Gill, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, Asstt. A.G. Punjab.

HARKESH MANUJA.J. (ORAL)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.188 dated 27.09.2022 registered under Sections 302 and 34 of IPC at Police Station Samrala, District Khanna, wherein the petitioner has been implicated on account of having caused murder of one Mikail Sheikh.

2. The prayer made on behalf of the petitioner has been opposed by learned State counsel while submitting that the offence has been committed by causing head injuries upon the deceased.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. The petitioner has already undergone incarceration of about 1 year 2 months and 21 days. Upon conclusion of the investigation charges have been framed and even one alleged eye witness who

appeared as PW-4, did not support the prosecution case.

4. Considering the fact that the investigation in the present case, already stands concluded with the filing of challan and trial is likely to take some time, besides it, the petitioner is already behind the bars for the last almost 1 year 2 months and 21 days, I do not find any reason to extend the incarceration of the petitioner any further.

5. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

6. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

(HARKESH MANUJA)
JUDGE

21.12.2023

monika

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No