

CRM-M No.5330 of 2024

2024:PHHC:016926

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CRM-M No.5330 of 2024
Date of Decision: 07.02.2024

SAHIB SEIKH AND ANOTHERPetitioner

Vs
STATE OF PUNJABRespondent

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Pratap Singh Gill, Advocate
for the petitioners.

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 petitioners 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 petitioners have been implicated on account of having caused murder of one Mikail Sheikh.
2. The prayer made on behalf of the petitioners 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 petitioners.
4. The petitioners have already undergone incarceration of about 01 year and 04 months. 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.

5. 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 petitioners are already behind the bars for the last almost 01 year and 04 months, I do not find any reason to extend the incarceration of the petitioners any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioners are ordered to be released on regular bail on their furnishing bail bonds and local sureties along with deposit of Rs.1,00,000/- (Rupees One lakh only) in the shape of FDR with the Court concerned, subject to the satisfaction of the concerned learned trial Court/Duty Magistrate.

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

February 07, 2024
Atik

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No