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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18743-2024
Date of decision: 18.04.2024

SUKHWINDER SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Arjun Veer Sharma, Advocate for the petitioner.
Mr. Adeshwar Singh Pannu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 Cr.P.C. read with Section 482 Cr.P.C. for the grant of interim bail to the petitioner for a period of three months in FIR No.95 dated 26.10.2017, under Section 302 of the IPC and Sections 25 and 27 of the Arms Act, registered at Police Station Kotwali Nabha, District Patiala, Punjab.
2. Learned counsel for the petitioner submitted that the petitioner is in custody for more than 6 years and the son of the petitioner unfortunately died on 14.04.2024 and under the police custody, the petitioner had attended the cremation of his son and now the bhog ceremony is fixed for 23.04.2024 and therefore, he may be considered for the grant of interim bail for a period of three months.
3. On the last date of hearing while issuing notice of motion, the learned State counsel had sought time to seek instructions in the present case.

Today, Mr. Adeshwar Singh Pannu, AAG, Punjab has submitted on instructions from the concerned Investigating Officer that it has been verified that the son of the petitioner had died and now the bhog ceremony is scheduled to be held on 23.04.2024. He further submitted that the custody of the petitioner is more than 6 years. He has however submitted that it is a case where the allegation against the petitioner was that he had given money to other co-accused, namely, Bittu for killing the deceased, namely, Monik Jindal due to some financial disputes. He also submitted that the petitioner is involved in one more case under Section 323 of the IPC, on which he is already on bail.

4. After hearing learned counsel for the parties and considering the facts and circumstances and also considering the long custody of the petitioner which is more than 6 years and also the fact that the petitioner wants to attend the bhog ceremony of his son, who unfortunately died on 14.04.2024, this Court is of the considered view that the petitioner deserves the concession of interim bail.

5. Consequently, the present petition is allowed. The petitioner shall be released on interim bail for a period of four weeks, subject to his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

6. The date and time of release of the petitioner and surrender after a period of aforesaid four weeks shall be fixed by the learned trial Court/Duty Magistrate concerned.

18.04.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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