

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

CRM-M-63570-2023

Reserved on: 05.02.2024

Pronounced on: 08.02.2024

2024:PHHC: 017458

KARANPREET SINGH @ SHAVI

. . . . PETITIONER

Vs.

STATE OF PUNJAB

. . . . RESPONDENT

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Davinder Bir Singh, Advocate, for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J.

By way of this petition filed under Section 439, petitioner prays for grant of regular bail in case FIR No.0072 dated 16.05.2022 under Sections 302/34 IPC [subsequently added section 120B IPC] registered at Police Station City Khanna, District Khanna.

2. Status report dated 05.02.2024 by way of affidavit of Shri Harjinder Singh, PPS, Deputy Superintendent of Police, Sub Division Khanna, District Ludhiana has been filed on behalf of the respondent-State along with the custody certificate.

3. Submissions made by both the sides have been considered.

4. It is found that co-accused Hardeep Kaur (the mother of present petitioner-Karanpreet Singh @ Shavi) has already been allowed bail by this Court vide a detailed order dated 06.11.2023 passed in CRM-M-31303-2023 (Annexure P3). This Court finds that case of the petitioner is almost on the same footing with the only difference that one danda and one mobile are shown to have been recovered from the petitioner. Status report

does not specify as to whom the mobile allegedly recovered from the petitioner belonged. The contention of counsel for the petitioner to the effect that mobile was found from the open maize fields is not refuted by ld. State counsel.

5. Petitioner is in custody for the last 1 year 8 months and 15 days as per the custody certificate with no other criminal case pending against him. Case is dependent upon circumstantial evidence. There are 26 witnesses cited by the prosecution and only 2 have been examined so far as per the status report and thus, trial is likely to take long time to conclude.

6. Having regard to all the facts and circumstances as noted above, and for all the reasons as have been detailed in the order dated 06.11.2023 passed in CRM-M-31303-2023 (Annexure P3) qua the co-accused, but without commenting anything further on merits of the case, this petition is allowed. Petitioner is admitted to regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, by observing usual terms and conditions.

08.02.2024

Vivek

(DEEPAK GUPTA)

JUDGE

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| 1. Whether speaking/reasoned? | Yes |
| 2. Whether reportable? | No |