

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

**CRM-M No.14250 of 2020 (O&M)
Decided on: 23.06.2020**

Vikramjit Singh @ Vicky

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. B.S. Bhalla, Advocate
for the petitioner (through video conferencing)

Ms. Bhavna Gupta, DAG, Punjab
(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.167 dated 21.08.2019, for offence punishable under Sections 307, 34 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Chattiwind, District Amritsar.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered on the statement of one Charanjit Kaur, it is stated that Monika is having illicit relationship with the petitioner – Vikramjit Singh @ Vicky and they used to visit the house of her grandmother – Balbir Kaur. On 21.08.2019, Monika and the petitioner – Vikramjit Singh @ Vicky had given injuries on the head of her grandmother – Balbir Kaur.

Counsel for the petitioner has further argued that the investigation is complete and the injured Balbir Kaur, while appearing as PW1 has not supported the prosecution version and has stated that no

one has injured her and even further stated that Monika is not having any relationship with any other person. She even stated that the accused persons present in the Court are not the persons who have inflicted injuries upon her and she slipped from staircase. This witness was declared hostile and during the cross-examination by the Public Prosecutor, she even denied the fact that the police has recorded her statement that her grand-daughter Monika had any relationship with the petitioner – Vikramjit Singh @ Vicky.

Counsel for the petitioner has also submitted that in view of the aforesaid facts, there is no possibility for the petitioner to tamper with the prosecution evidence and the petitioner is in custody since 22.08.2019 and the conclusion of the trial will take some time.

Counsel for the State has also not disputed the fact that PW1 – Balbir Kaur/injured witness has not supported the prosecution version, however, she submits that there are some other witnesses, which are yet to be examined.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 22.08.2019; the injured witness has already been examined; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it is made clear that in case the petitioner is found involved threatening any of the remaining prosecution witnesses

or tried to influence them, in any manner then, it will be open for the prosecution to apply for cancellation of bail of the petitioner.

23.06.2020

(ARVIND SINGH SANGWAN)

JUDGE

yakub

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