

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-4250-2021 (O&M)
Date of Decision:- 14.10.2021

Rajbir Singh Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. G.K.Mann, Senior Advocate with
Mr. Sunil Kumar, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Mann Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.47, dated 6.5.2020, Police Station Gharinda, Amritsar Rural, under Section 307 IPC and Section 27 of Arms Act (Sections 54/59 of Arms Act added later on).
2. As per the FIR lodged at the instance of Harpal Singh, the petitioner had fired two shots from his 12 bore double barrel gun hitting complainant Harpal Singh as well as Rasal Kaur.

3. Learned counsel for the petitioner submits that he has been falsely implicated in the instant case and that the falsity would be evident from the fact that when the complainant Harpal Singh, his wife Rupinder Kaur as well as the other injured Rasal Kaur were examined during the course of trial, none of them has supported the case of the prosecution at all and all three of them have been declared hostile.
4. The aforestated position is not disputed by learned State counsel. Learned State counsel has also informed that the petitioner as on date has been behind bars since the last more than 1 year and 2 months and that he is not involved in any other case.
5. In view of the aforestated position wherein the eye witness and injured have resiled and the petitioner has been behind bars for a substantial period of more than 1 year and 2 months, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

14.10.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No