

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

CRM-M-6838-2020 (O&M)
Date of Decision:-27.4.2021

Bhupinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amandeep Singh Rai, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Baldev Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.86 dated 4.4.2019 at Police Station Sahnewal, District Ludhiana under Sections 302 and 34 of Indian Penal Code.
2. The FIR was lodged at the instance of Rakhi Ahirbad, wherein it is alleged that on 2.4.2019 at about 9:00 p.m. her brother's brother-in-law Ankit and his friend Bhupinder came to meet them. On 3.4.2019 at about 8:00 p.m. Ankit and his friend Bhupinder suggested that they go for a stroll and they alongwith complainant's brother and went towards Canal Bridge of Jaspal Baggar. The complainant and her sister-in-law Deepa also followed them. At about 8:30 p.m. they heard her brother raising alarm '*bachao bachao*' and

when they went near they saw that Bhupender Singh had held complainant's brother from behind and Ankit was giving knife blows in his stomach and neck. Although the complainant's brother was rushed to hospital but he succumbed to his injuries.

3. Learned counsel for the petitioner has submitted that the FIR came to be lodged under some misunderstanding and that when the complainant as well as Deepa were examined during the proceedings of trial they did not support the case of prosecution at all.
4. Opposing the petition, learned State counsel has submitted that the accused have apparently won over the witnesses and that since direct allegations have been levelled in the FIR, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 1 year and 10 months and that the petitioner is not involved in any other case.
5. Having regard to the facts and circumstances of the case especially that the material eye witnesses including the complainant have resiled and while also noticing that the petitioner as on date has been behind bars since the last about 1 year and 10 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 regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

27.4.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**