

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

CRM-M-18669-2021 (O&M)

Date of Decision: 29.11.2021

Gobind Singh @ Bindi & another ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. N.S.Shekhawat, Senior Advocate, with
Mr. Deepak Sethi, Advocate, for the petitioner.

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

Mr. Mohit Sadana, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

CRM-40600-2021

In view of the reasons mentioned in the application, the same is allowed and the statement of PW-1 Karamjit Kaur is taken on record as Annexure P-12.

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1. The petitioners have approached this Court seeking grant of regular bail in respect of a case registered against them vide FIR No.50 dated 17.03.2021 at Police Station Lehra, District Sangrur, under Sections 306/34 IPC.
2. The FIR in question was lodged at the instance of Karamjit Kaur, wherein she alleges that her husband had sold his share in joint land to Gobind Singh, Balwinder Singh and Hari Singh, but the

said persons had forcibly occupied 1 Kanal and 5 Marlas of land of the deceased due to which he remained disturbed and had committed suicide.

3. Learned senior counsel appearing on behalf of the petitioners has submitted that the instant FIR came to be lodged under some misunderstanding, which has now been resolved and in fact when the complainant was examined as PW-1 during the proceedings of trial, she has not supported the case of the prosecution at all and has been declared hostile. Learned senior counsel in this regard has drawn the attention of this Court to the statement of PW-1 Karamjit Kaur (Annexure P-12).
4. Opposing the petition, learned State counsel has submitted that since the petitioners are specifically named in the FIR and there are specific allegations against them, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioners as on date has been behind bars since the last about 8 months and that they are not involved in any other case. It has also been informed that as on date only 1 PWs out of cited 18 PWs has been examined.
5. I have considered rival submissions addressed before this Court.
6. Bearing in mind the fact that the complainant-Karamjit Kaur has not supported the case of the prosecution at all and was declared as hostile and also that the petitioners, in any case, have been behind bars for a substantial period of about 8 months, further detention of the petitioners will not serve any useful purpose as conclusion of trial will take some time. The petition, as such, is accepted and the

petitioners are ordered to be released on regular bail on their
furnishing bail bonds/surety bonds to the satisfaction of learned
trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.11.2021

Vimal

**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**