

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

CRM-M-19894-2021 (O&M)

Date of Decision:- 26.5.2021

Principal Singh @ Prince and another

.... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ankit Kharbanda, Advocate, for the petitioner.

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

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek grant of regular bail in respect of a case registered vide FIR No.29, dated 24.2.2020, Police Station Cantonment, District Amritsar, under Sections 302, 148, 149 IPC.
2. The FIR in question was lodged at the instance of Bholi wife of Gurmej Singh (deceased), wherein it is alleged that on 23.02.2020, her husband died and that she had now come to know that her husband had gone to the house of Tarsem Singh @ Soma and that

Bobby, Prince, Sahba and Mandeep Singh Noni gave beatings on account of which he had died. It is further alleged that Tarsem Singh, Prince, Bobby, Sahba and Noni after killing had thrown the dead body of her husband in her house.

3. Learned counsel for the petitioners has submitted that a false FIR has been lodged at the instance of the complainant and that in fact it is a case of blind murder. Learned counsel for the petitioners has further submitted that during the course of trial, statements of the complainant and of all other eye-witnesses have been recorded and that all of them have turned hostile and have not supported the case of the complainant. Learned counsel, in this regard, has drawn the attention of this Court to the statements of PW-1 to PW-6, which have been placed on record as Annexures P-3.
4. On the other hand, learned State counsel has not disputed the fact that the complainant and other PWs had not supported the case of the prosecution at all. Learned State counsel has, however, informed that the petitioners in any case have been behind bars since the last about 1 year.
5. Having regard to the fact that the complainant and other PWs have not supported the case of the prosecution, when examined during the proceedings of trial and also while noticing that the petitioners have been behind bars since the last about 1 year, further detention of the petitioners will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioners are ordered to be released on bail subject to their

furnishing bail bonds to the satisfaction of learned trial Court/Chief
Judicial Magistrate/Duty Magistrate concerned.

26.5.2021
Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No