

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 22012 of 2021

Date of Decision: 29.6.2021

Kuldeep Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. S.S.Nara, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 102 dated 01.5.2019 under Sections 148, 149, 201, 302, 323, 364 IPC registered at Police Station Mullana, District Ambala.

Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present FIR; that the allegation against the petitioner is that he gave a danda blow on the head of deceased Manpreet Singh; that there is a delay in lodging the present FIR as the occurrence took place on 29.4.2019 whereas the FIR in question was registered on 01.5.2019; that the petitioner has been in custody since 14.5.2019; and that out of 27 prosecution witnesses, only 09 witnesses have been examined and out of the said 09 witnesses, 06 witnesses, including the complainant, have not supported the prosecution case and have been declared hostile.

On the other hand, learned State counsel submits there are

specific allegations against the petitioner that he gave a danda blow on the head of deceased Manpreet Singh and the wooden stick has been recovered but has not disputed the fact that the complainant along with other prosecution witnesses have turned hostile.

In the present case, six prosecution witnesses including the complainant, have not supported the prosecution version and have turned hostile. The petitioner has been in custody since 14.5.2019. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

June 29, 2021
Gurpreet

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