

In the High Court of Punjab and Haryana at Chandigarh

211 -2

CRM-M-27704-2021 (O & M)

Date of Decision: August 12, 2021

BALJEET SINGH @ KALU

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Navinder Jit Singh Dandiwal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.90 dated 02.06.2019, under Sections 302, 34, 506 IPC, registered at Police Station Lambi, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that it was stated by the injured Gurpreet Singh at the time of admission to hospital that he had received injuries in a road side accident. A copy of the admission slip is annexed as Annexure P-2 in the petition bearing CRM-M-24535-2020 of the co-accused namely Gurjit Singh alias Sonu which has also been decided today. In the FIR which has been lodged by Kulwant Singh-complainant, it was alleged that due to sudden altercation, the petitioner and co-accused had caused injuries. He, however, contends that the complainant, who was examined as PW-1; Balwinder Singh, uncle of the deceased, who was examined as PW-2; Harnek Singh, father of the deceased, who was examined as PW-3; Manmohan Singh, brother of the deceased, who was examined as PW-7 and other material witnesses including Amandeep Kaur (PW-4) and Jagdish Singh (PW-8) have

not supported the prosecution case qua the involvement of the petitioner. Copies of the statements of the witnesses have been annexed as Annexures P-7, P-8 and P-9 in the petition bearing CRM-M-24535-2020 of the co-accused namely Gurjit Singh alias Sonu which has also been decided today. The petitioner is in custody for over 02 years and 02 months since his arrest on 03.06.2021. He is not involved in any other criminal case.

Learned State counsel upon instructions from ASI Karnail Singh states that 11 out of 27 prosecution witnesses have been examined. He is not in a position to controvert the submission of learned counsel for the petitioner that the aforementioned material witnesses have not supported the prosecution case qua the involvement of the petitioner. He, however, contends that other witnesses have to be examined and there is sufficient evidence to establish the involvement of the petitioner.

Heard.

In view of the above, especially when the petitioner is in custody for over 02 years and 02 months, he is not involved in any other criminal case, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

August 12, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No