

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

230

CRM-M-25246-2020 (O&M)

Date of decision : 26.10.2021.

Akashdeep Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. R.S. Rai, Senior Advocate with
Mr. Karan Pathak, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.163 dated 07.11.2019 under Sections 302, 34 IPC registered at Police Station Nehianwala, District Bathinda.

Learned Senior counsel for the petitioner contends that it is alleged in the FIR that the petitioner had given a solitary knife blow on the stomach of the deceased. The complainant, who is the brother of the deceased, in his deposition before the trial Court as PW-1 did not support the prosecution case qua the involvement of the petitioner. There is no other eye-witness and two other prosecution witnesses, namely, PW-4 Darbara Singh and PW-5 Manpreet Singh had also not supported the prosecution case. He also contends that the petitioner is in custody for almost two years since his arrest on 08.11.2019 and does not have any criminal antecedents.

Learned State counsel while referring to the affidavit filed by Deputy Superintendent of Police, Sub Division Bhuchu, Bathinda, states that

the witnesses, who were examined, did not support the prosecution case and have turned hostile. He, upon instructions from ASI Gambhoo Singh, states that 04 out of 25 prosecution witnesses have been examined. He has filed the custody certificate in Court, which indicates that the petitioner is in custody for 01 year, 11 months and 14 days as on 25.10.2021.

Heard.

In view of the above especially when the petitioner is in custody for almost two years, the complainant did not support the prosecution case, the 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 instant 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

October 26, 2021

sonia gugnani

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