

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

215

CRM-M No.49366 of 2021
Date of Decision: 30.11.2021

Bhagwant Singh

... Petitioner

Versus

State of Punjab

... Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mohd. Yousaf, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in case of FIR No.14 dated 22.02.2021 registered under Sections 307, 336 of IPC and 27/54 of Arms Act, 1959 at Police Station Chhajli District Sangrur.

Learned counsel for the petitioner argues that in the present case, not only the charges have been framed but the material witnesses including the complainant as well as the victim has already been examined and as the trial likely to take some time to conclude, the petitioner may kindly be granted the concession of regular bail. Learned counsel further submits that the complainant as well as the victim in their testimonies, have not supported the prosecution version, which strengthens the case of the petitioner for the grant of regular bail.

Learned State counsel concedes the factum that the material witnesses have already been examined and the complainant and the victim have not supported the prosecution version so far but submits that the innocence or the culpability of the petitioner is to be decided on the basis of

the complete evidence which will come on record and, therefore, merely non-supporting of the prosecution by two witnesses will not entitle the petitioner for the grant of regular bail.

I have heard the learned counsel for the parties and have gone through the record with their able assistance.

Once, the two material witnesses such as complainant and the victim have already been examined and the trial is likely to take some time to conclude and the petitioner is already behind bars for the last more than 8 months, no useful purpose will be achieved in keeping the petitioner behind bars especially when the learned counsel for the petitioner has undertaken before this Court that in case, the petitioner is given the concession of regular bail, he will not misuse the same either to influence the trial or any witnesses in any manner. In case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

Without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

30.11.2021
manju

Whether speaking/reasoned
Whether reportable

Yes
No