

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-5235-2022

Date of Decision: 10.10.2022

Gurpreet Singh alias Guri

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. D.S.Randhawa, Advocate
for the petitioner.

Mr. Mohinder Singh Joshi, Addl. AG., Punjab

KARAMJIT SINGH, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.125 dated 9.10.2021 registered for the offences punishable under Sections 379-B IPC (Sections 411, 473, 201 IPC added later on) at Police Station Payal, Police District Khanna, District Ludhiana.

Status report filed on behalf of the State by way of affidavit of Davinder Kumar, DSP, Sub Division Payal, Police District Khanna, District Ludhiana is ordered to be taken on record.

Counsel for the petitioner submits that the petitioner is languishing behind the bars for the last more than one year and is having no criminal history. He further submits that during the trial, the complainant was declared hostile and attested copy of her statement is already placed on record. He further submits that it will take considerable time for the trial to conclude and as such, no purpose is going to be served by keeping the

petitioner in custody for any longer period. State counsel on instructions from ASI Sukhwinder Singh has not refuted the fact that during the trial, the complainant failed to support the case of the prosecution and that the petitioner is in custody for the last more than one year and is having no criminal antecedents.

In view of above, as material witness failed to support the case of the prosecution and it will take time for the trial to conclude, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

October 10, 2022

Paritosh Kumar

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No