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

**CRM-M-16521-2022 (O&M)
Date of Decision:31.08.2022**

Gurjant @ Janta

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Singh Jattan, Advocate for the petitioner.

Mr. Kunal Muthreja, AAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.16 dated 17.03.2017, registered under Sections 148, 149 and 302 IPC, 1860, at Police Station Sarai Amanat Khan, Tarn Taran. The petitioner is in custody since his arrest on 18.03.2017.

As per the allegations levelled in the FIR, on 16.3.2017, at about 7.30 p.m. when all family members were dancing in the courtyard as part of marriage celebrations of a relative, Balwinder Singh caught hold the hand of daughter of Jaswant Singh and alongwith him, Ranjodh Singh also started dancing. On seeing the same, the groom Manpreet Singh @ Babbu, Sarandeep Singh, Gurjant Singh, Gurpreet Singh and Jaswant Singh @ Jassa infuriated and gave beatings to Balwinder Singh and Ranjodh Singh with dangs, sotas and datar on head and mouth. On raising hue and cry, they fled away. Conveyance was arranged for taking Balwinder Singh and Ranjodh Singh to the hospital, but both of them died on the way. On these

On these broad allegations, the present FIR was registered.

Learned counsel for the petitioner has argued that the alleged occurrence took place at a marriage function when victim Balwinder Singh and his uncle Ranjodh Singh caught hold the hands of the daughter of the co-accused. Learned counsel submits that the accused, namely, Sarandeep Singh @ Saran and Jaswant Singh @ Jassa, who had inflicted injuries upon the victims have already been released on regular bail by this Court vide order dated 24.02.2022. According to learned counsel, the petitioner has been implicated falsely being relative of the said co-accused and all the three eye-witnesses including the complainant have already been examined, therefore, he prays for bail.

Learned State counsel, assisted by ASI Kuldeep Singh has opposed the prayer, however, it is not disputed that material witnesses have been examined. He fairly states that the case of the petitioner is not distinguishable from the other co-accused, who have been released on bail. He states that ten prosecution witnesses have been examined so far, but twelve witnesses remain to be examined.

After hearing the learned counsel for the parties, considering the above background as well as the custody of the petitioner, this Court finds that since the material witnesses have already been examined by prosecution and remaining witnesses are official witnesses and presently, there does not seem to be any possibility of their being won over, therefore, the further detention of the petitioner behind the bars may not serve any useful purpose, as the trial is likely to consume considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner

be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, concerned. The petition is allowed.

31.08.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No