

CRM-M-18475-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-18475-2022

Date of decision:29.11.2022

Sukhraj

...Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Sant Pal Singh Sidhu, Advocate,  
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

Mr. Ranwant Singh, Advocate,  
for the complainant.

**HARNARESH SINGH GILL, J. (ORAL)**

Through this petition, the petitioner seeks regular bail in case FIR No.65 dated 20.07.2017, registered at Police Station Khalra, District Tarn Taran, under Sections 302, 307, 324, 120-B, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, 1959.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that as per the prosecution version, a fatal injury on the person of Sukhbir Singh (since deceased) has been attributed to the petitioner; that the petitioner has been in custody since 30.07.2017; that out of 49 prosecution witnesses, only 01 witness has been examined so far, and that remaining co-accused have since been granted the concession of bail.

Learned counsel further contends that Pargat Singh(since

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deceased), who had received a fatal injury and died after 20 days of the alleged occurrence, had not attributed any specific injury to the petitioner and furthermore, even the complainant while stepping into the witness-box, has also deposed on the same line. He further contends that on the application under Section 319 Cr.P.C., moved by the prosecution, three additional accused have been summoned to face the trial.

On the other hand, learned State counsel, assisted by the learned counsel for the complainant, while opposing the grant of bail to the petitioner, submits that it is a case of double murder and that the petitioner has been attributed injuries on the abdomen of deceased-Sukhbir Singh and also on the person of deceased-Pargat Singh. He further submits that in his statement, Pargat Singh (since deceased) has stated that the accused had blindly fired gun-shots at him, which had hit on his abdomen and lower parts of his body.

I have heard the learned counsel for the parties.

Though specific injury on the person of Sukhbir Singh (since deceased) has been attributed to the petitioner, yet the petitioner has been in custody since 30.07.2017 i.e. more than five years and four months. Moreover in his statement, Pargat Singh (since deceased) has not attributed any specific injury to the petitioner. As per the prosecution, there were four armed accused out of them, two have been declared innocent and one accused namely Sukhchain Singh has since been granted the concession of bail. Out of 49 prosecution witnesses, only 01 witness has been examined so far. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**29.11.2022**  
parveen kumar

**(HARNARESH SINGH GILL)**  
**JUDGE**

|                            |        |
|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |