

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

**CRM-M No.25137 of 2021
Date of Decision: 30.08.2022**

Gurjant Singh and others

.....Petitioners.

Versus

State of Punjab

.....Respondent.

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Argued by:- Mr. Deepak Sabherwal, Advocate
for the petitioners.

Mr. Arun Gupta, AAG, Punjab
for the respondent-State.

MEENAKSHI I. MEHTA, J.

The petitioners herein have sought the relief of regular bail in the criminal case arisen out of the FIR bearing No.22 dated 22.01.2021 registered at Police Station Kotwali, Kapurthala, under Section 302 read with Section 34 IPC, with the allegations that he, along-with his co-accused, had caused injuries to Piara Singh which proved fatal for him.

2. Status-report submitted on behalf of the respondent-State, by way of the affidavit of SI Lehmbar Singh from the above-said police station, has already been taken on the record.

3. I have heard learned counsel for the petitioners as well as learned State counsel in the present petition and have also perused the file carefully.

4. Learned counsel for the petitioners has submitted that petitioner No1. Gurjant Singh and petitioner No.3 Deepak @ Deepu were arrested on 25.01.2021 and petitioner No.2 Sandeep Singh had been nabbed on 10.02.2021 and they are in custody since then and he has referred to Annexures P-4 to P-8, the copies of the testimonies of PW1 Manjit Singh, i.e the informant, PW3 Kuldeep Singh, PW4 Jatinder Singh, PW5 Sukhwant Singh and PW2 Surjit Singh respectively and has pointed out that all the afore-named material witnesses have refused to support the version of the prosecution and have turned hostile while deposing in the Court and he has also drawn the attention of the Court to Annexure P-9, the copy of the testimony of Dr. Jaswinder Pal, who is stated to be one of the members of the Medical Board which had conducted the post-mortem examination on the body of victim Piara Singh, to the effect that no certain cause of death could be ascertained but however, the most probable cause of death was “shock” and he has contended that in these circumstances, the petitioners deserve the relief as prayed for in this petition.

5. Learned State counsel has not disputed the above-referred factual position.

6. Keeping in view the afore-discussed facts and circumstances as well as the fact that the trial of the case is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, all the three petitioners namely Gurjant Singh son of Gurmit Singh, Sandeep Singh son of Gurmej Singh and Deepak @ Deepu son of Gurnam Singh @ Gurmej Singh, are ordered to be released on regular bail

subject to their furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. The instant petition stands allowed accordingly.

August 30, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*