

CRM-M-25118-2022

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

CRM-M-25118-2022 (O & M)

Date of decision: 16.11.2022

Sarabjit Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Gurmeet Kaur, Advocate for
Mr. Prince Sharma, Advocate,
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.235 dated 18.11.2020, registered at Police Station Sadar Patti, Tehsil Patti, District Tarn Taran, under Sections 307, 382, 452, 337, 324, 325, 323, 148 and 149 IPC, Sections 25 and 27 of the Arms Act, 1959 and Sections 325 and 307 IPC (added later on).

Learned counsel for the petitioner contends that three material witnesses i.e. complainant-Balwinder Singh and eye-witnesses, namely, Harpal Singh and Hardeep Singh, while appearing before the trial Court as PW 1 to PW 3, respectively, have not supported the prosecution version and have been declared hostile; that moreover, complainant-Balwinder Singh has also sworn an affidavit (Annexure P-4) to the effect that the compromise has been effected between the parties, and that the petitioner

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has been in custody since 21.03.2022.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the petitioner had actively participated in the occurrence and caused injuries to the complainant. However, he does not dispute the fact that three material witnesses have been declared hostile.

I have heard the learned counsel for the parties.

Charges have been framed. As stated above, three material witnesses, including the complainant, have not supported the prosecution version and have been declared hostile. The petitioner has been in custody since 21.03.2022. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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.

16.11.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No