

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

**CRM-M-31570-2021**

**Date of Decision: 13.01.2022**

**Manpreet Singh .....Petitioner**

**Versus**

**State of Punjab..... Respondent**

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

...

**(through video conferencing)**

Present: Mr. Chander Shekhar Singhal, Advocate  
for the petitioner.

Mr. Rehat Bir Singh Mann, DAG, Punjab.

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**MANJARI NEHRU KAUL, J. (Oral)**

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 43 dated 01.04.2021 under Sections 363, 366-A IPC registered at Police Station Goraya, District Jalandhar.

Learned counsel submits that the false implication of the petitioner in the case in hand is evident from the fact that both the material witnesses i.e. the complainant as well as the victim while stepping into the witness box as PW1 and PW3 did not support the case of the prosecution as a result of which they were declared hostile. Learned counsel in support of his submission has placed on record the deposition of both the aforementioned witnesses. It is, therefore, prayed that the petitioner be granted the concession of bail as his further incarceration would not serve any useful purpose.

Per contra, the learned State counsel has not been able to controvert the factum of complainant as well as the victim having resiled from their statements during trial and having been declared hostile. Learned State counsel, on instructions from SI Harpreet Kaur, has conceded that PW1 i.e. the complainant and the victim PW3 were the only material witnesses who already stand examined. He further submits that 11 prosecution witnesses remain to be examined.

Heard.

In the facts and circumstances, as enumerated hereinabove, the trial is unlikely to conclude in the near future as 11 prosecution witnesses remain to be examined. Thus, I deem it a fit case to grant the concession of bail to the petitioner, who has been in custody since 05.04.2021. The petition is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

13.01.2022

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( MANJARI NEHRU KAUL)  
JUDGE

**Note:** Whether speaking/reasoned  
Whether Reportable:

Yes / No  
Yes / No