

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

CRM-M-28522-2022
Date of Decision:-**16.09.2022**

NIRMAL SINGH ALIAS FOJI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Jagjit Singh Gill, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.16 dated 21.2.2022 registered under Sections 307, 341, 323, 506, 34 IPC and Section 25 of Arms Act at Police Station Sangat District Bathinda.

The counsel for the petitioner submits that the petitioner has been falsely implicated in this case and is in custody for the last more than 4 months and is not involved in any other criminal case. The counsel for the petitioner further submits that during the trial, complainant-injured namely Baljinder Singh as well as his father Baljit Singh have not supported the case

of prosecution. The copies of the statements of both the witnesses are produced, which are taken on record. The counsel for the petitioner further submits that as material witnesses have resiled from their previous statements, no purpose is going to be served by keeping the petitioner in custody for any longer period.

The instant petition is resisted by the State counsel, who has admitted the fact that the petitioner is in custody for the last 4 months and that after completion of investigation, challan has been presented. The State counsel is unable to refute regarding the fact that the complainant and his father have already testified before the trial Court.

I have considered the submissions made by counsel for the parties.

From the perusal of the certified copies of the depositions of the complainant and his father, it appears that both of them were declared hostile and had not supported the case of prosecution.

In view of the matter, no purpose is going to be served by keeping the accused behind the bars for any longer period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

16.09.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No