

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

247

CRM-M-29299-2022 (O&M)

Date of Decision: 15.07.2022

HARPAL SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Birinder Singh Khehar, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.87 dated 19.07.2021, registered under Sections 302, 201 IPC, at Police Station Dhariwal, District Gurdaspur.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the dispute between the parties was with regard to the land, which was distributed by the father of the complainant; that one half share was given to the petitioner; that the complainant, while appearing as PW-1 before the learned trial Court on 09.05.2022, has not supported the prosecution version and turned hostile and that the petitioner has been in custody since 20.07.2021.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that there are total 19 prosecution witnesses out of which only 5 have been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 20.07.2021. Complainant while appearing as PW-1 before the trial Court has turned hostile and has specifically stated that on 15.07.2021 at about 10:00 am, he came to know that his father had died a natural death. Most of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

15.07.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>