

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105+206

CRM-M-39325-2021(O&M)

Date of Decision:08.03.2022

Sarabjeet Singh alias Sarabjit alias Raju

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Harsh Chopra, Advocate,
for the petitioner.

Mr. Karanbir Singh, A.A.G., Punjab.

VINOD S. BHARDWAJ , J.(Oral)

CRM-8110-2022

Prayer in the instant application filed under Section 482 Cr.P.C.
is for placing on record copies of the testimonies of PW1 to PW6 as
Annexures P-6 to P-11.

Application is allowed, as prayed for and the documents
Annexures P-6 to P-11 are permitted to be taken on record, subject to all just
exceptions.

CRM-M-39325-2021

Instant petition has been filed under Section 439 Cr.P.C.
seeking concession of regular bail to the petitioner in case FIR No.51 dated
30.05.2021 under Sections 304, 201, 34 IPC and Sections 25 & 27 of the

Arms Act, later on converted into Sections 304-A, 201, 34 IPC, 1860 and Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Chamkaur Sahib, District Rupnagar.

Learned counsel for the petitioner contends that the petitioner has been falsely arrayed in the aforesaid case and that the witnesses including the complainant have not supported the case of the prosecution during the course of trial. It is further contended that for a charge under Section 304-A IPC, the petitioner has already undergone actual custody of 09 months and 04 days. It is further argued that out of total 19 witnesses, only 06 witnesses have been examined so far and all the said witnesses have not supported the case of the prosecution.

Mr. Karanbir Singh, A.A.G., Punjab has not disputed that the star witnesses have not supported the case of the investigating agency. He also does not refute that the proceedings have been initiated against the petitioner under Section 304-A IPC and that the actual custody of the petitioner is 09 months and 04 days.

Considering the submissions made by the parties and without commenting on the merits of the case, lest it may prejudice the outcome of the trial and also considering the fact that the petitioner is in custody since 30.05.2021 and that the star witnesses have not supported the case of the prosecution and as well as the fact that trial in the case may take long time, I deem it appropriate to enlarge the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted to regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

The observations made here-in-above shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

March 08, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No