

CRM-M-34638-2020

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

CRM-M-34638-2020
Date of decision: 27.04.2022

Gurjit Singh @ Kalu

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Anupam Bhanot, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.93 dated 12.07.2018, registered at Police Station Division-B, District Amritsar, under Sections 302 and 201 IPC.

Learned counsel for the petitioner contends that initially, the above-noted FIR was got registered by complainant-Narinder Singh against some unknown persons; that the petitioner was falsely involved in the present case on the basis of a video recording; that PW 3 complainant-Narinder Singh while appearing before the trial Court on 17.07.2019, did not support the prosecution version and was declared hostile, and that PW 4 Ranjit Kaur, who had allegedly videographed the incident through her phone, while appearing before the trial Court on 31.08.2019, did not support the prosecution version and was also declared hostile.

Learned counsel for the petitioner further contends that co-accused, namely, Arshdeep Singh @ Ashu stands enlarged on interim bail by a Coordinate Bench, vide order dated 29.10.2021 passed in CRM-M-

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24348-2021. The petitioner has been in custody since 16.07.2018.

On the other hand, learned State counsel, while opposing the aforesaid submissions of the learned counsel for the petitioner, contends that as per the prosecution version, the petitioner, his father Dalbir Singh, Hardeep Singh, Baljit Kaur, Tajinder Singh Romy, Arshdeep Singh Ashu had caused injuries to the deceased by tying his arms. Out of 32 prosecution witnesses, 12 witnesses have been examined.

I have heard the learned counsel for the parties.

The above-noted FIR was registered against some unknown persons. PW 3 complainant-Narinder Singh did not support the prosecution version and was declared hostile. Similarly, PW 4 Ranjit Kaur, who had allegedly videographed the incident through her phone, did not support the prosecution version and was declared hostile. As noticed above, co-accused, namely, Arshdeep Singh @ Ashu stands enlarged on interim bail by the Coordinate Bench. Out of 32 prosecution witnesses, 20 witnesses are yet to be examined. The petitioner has been in custody since 16.07.2018. 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.

27.04.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No