

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

218

CRM-M-45329-2021 (O&M)

Date of Decision: 27.05.2022

KALA SINGH @ KALI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. KB Raheja, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

CRM-20115-2022

Application is allowed, as prayed for.

Annexure P-8 is taken on record.

Registry is directed to tag the same at an appropriate place.

CRM-M-45329-2021

Through this petition, the petitioner seeks regular bail in case bearing FIR No.60 dated 11.05.2021, registered at Police Station Sadar Ferozepur, District Ferozepur, under Sections 302 and 34 IPC.

Learned counsel for the petitioner submits that, though, the petitioner was named in the FIR, yet the fact remains that, on 23.05.2022, complainant, namely, Balkar Singh and Mirja, brother and nephew of the deceased, while appearing as PW-1 and PW-2 before the trial Court have not supported the prosecution version and turned hostile and that the petitioner has been in custody since 14.07.2021. He further submits that

as far as other cases registered and/is pending against the petitioner are

concerned, the petitioner has been acquitted in two cases, convicted in three and remaining cases are under trial.

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 serious allegations against the petitioner, inasmuch as, he had committed the murder of Amrik Singh and that there were nine injuries on the persons of the deceased.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 14.07.2021. In two cases, the petitioner stands acquitted. PW-1 and PW-2 have not supported the prosecution version and turned hostile. Some 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.

27.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*