

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-51471-2022

Date of Decision: 12.12.2022

AKASHDEEP SINGH @ PANNU

... Petitioner

VS.

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Ashish Kr. Gupta, Advocate for the petitioner

Mr. Aman Dhir, DAG Punjab

Sandeep Moudgil, J. (Oral)

(1) The petitioner has filed petition under Section 439 CrPC seeking regular bail in case FIR No.0208 dated 17.09.2020 under Sections 307/450/148/149/506 IPC and Section 25 of the Arms Act (under Sections 302/449/148/149/506/212/419/420/427/460/109/465/468/471/120-B IPC and Sections 27/54/59 Arms Act and Section 12 of the Passport Act, 1967 were added later on), registered at Police Station City Kharar, District SAS Nagar (Annexure P1).

(2) Learned counsel for the petitioner states that no specific role *qua* the petitioner has been attributed in the FIR except in general allegations have been made that father of the complainant was given beatings with base-ball bat and iron rod with various persons with intention to kill and seriously injure him.

(3) Notice of motion.

(4) On the asking of the Court, Mr. Aman Dhir, DAG Punjab accepts notice on behalf of the respondent.

(5) On the other hand, learned State counsel submits that the case of the prosecution is not supported by the witnesses who are complainant (PW2) and eye-witness (PW3), who have turned hostile, during the trial proceeded, so far. Custody certificate dated 10.12.2022 has been produced which is taken on record, according to which, the petitioner has undergone 2 years 2 months 14 days as undertrial.

(6) Keeping in view the fact that the complainant and eye witnesses have turned hostile who are now not supporting the case of prosecution, along with the fact that the petitioner is already behind the bars for the last 2 years 2 months and 14 days, apart from the fact that no role has been attributed to the petitioner and that since the conclusion of the trial is likely to take time, no fruitful purpose would be served by keeping the petitioner behind the bars, this petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Illaqa Magistrate, concerned.

12.12.2022
V.Vishal

(Sandeep Moudgil)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No