

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105+217

CRM-27527-2023 in/and
CRM-M-991-2023
Date of Decision.:12.07.2023

Sher Singh @ Sheri Langa
Vs.

.....Petitioner

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Tarun Sharma, Advocate for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

CRM-27527-2023:

This is an application under Section 482 Cr.P.C. for placing on record cross-examination of PW-1 Gurmeet Singh (complainant) as Annexure P-5.

2. Allowed as prayed for.
3. Annexure P-5 is taken on record.

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4. The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.0223 dated 12.09.2018 registered under Sections 307, 382/34 of the IPC (Section 325 of the IPC added later on) registered at Police Station Sadar Ferozepur, District Ferozepur.
5. Allegations are that on 11.09.2018 at about 08:00 p.m. petitioner along with three others waylaid complainant Gurmeet Singh and caused injuries to him. Specific attribution to him is that he hit baseball on

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the head of the complainant and on left cheek, causing fracture to his jaw.

6. It is also the allegation that petitioner and others put scarf around the neck of the complainant, tighten the noose and also snatched ₹10,000/- from him.

7. It is contended by learned counsel that petitioner has been falsely implicated which is evident from the fact that the complainant/injured Gurmeet Singh has not supported the prosecution version during trial. Attention is drawn towards (Annexure P-2) along with cross-examination of PW-1 Gurmeet Singh (Annexure P-5) which reflects that complainant had not identified the petitioner to be the assailant, during trial.

8. Custody certificate has been placed on record by learned State counsel, as per which petitioner is in custody for the last 9 months and 26 days, with no criminal antecedents.

9. Having regard to the fact that injured of the case has not supported the prosecution case but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

July 12, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No