

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

**CRM-M-4779-2023
Decided on:-03.02.2023**

Karanjit Singh @ Karma

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Amit Kumar Walia, Advocate,
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., the petitioner prays for grant of regular bail in case FIR No.225 dated 30.10.2021, under Sections 307, 506, 109, 34, 120-B IPC and Section 25/27 of the Arms Act, 1959, registered at Police Station Dirba, District Sangrur, during the pendency of trial.

Learned counsel for the petitioner submits that in the present case, both the injured as well as their father, who is the complainant already stand examined in court, however, none of them have supported the version of prosecution.

Learned counsel also submits that the petitioner is behind the bars since 12.11.2021, the investigation already stands concluded, challan filed and even charges have been framed and out of 34 witnesses cited by the prosecution, only 6 have been examined so far. Besides it, learned counsel relies upon orders dated 28.02.2022 (Annexure P-2) and 10.05.2022

(Annexure P-3) passed by this Court while granting concession of regular bail and anticipatory bail in favour of other co-accused, namely, Kirpal Singh and Dhan Raj Singh, respectively and thus, prays for grant of concession of regular bail.

On the other hand, prayer made in the present petition has been opposed at the instance of learned State counsel by submitting that the case of the petitioner is totally different from the other co-accused, namely Kirpal Singh and Dhan Raj Singh, as the main role has been attributed to the petitioner, who has fired gun shot to the injured.

I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

Considering the fact that the injured as well as their father, who happens to be complainant have not supported the case of prosecution and period of custody of the petitioner, which is more than one year and two months now, besides the fact that only 6 out of the total of 34 witnesses cited by the prosecution have been examined so far, there does not appear to be any justification to keep the petitioner behind the bars.

In view of the above, without commenting anything on the merits, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

03.02.2023
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(HARKESH MANUJA)
JUDGE

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