

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

CRM-M-7438-2023

Date of Decision:-**20.02.2023**

BHUPINDER SINGH @ BHINDA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Gagandeep Singh Simble, Advocate
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

Mr. Tarun Singla, Advocate
for the petitioner.

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KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.58 dated 14.5.2022 registered under Sections 306 IPC and Section 25/27 of Arms Act, at Police Station Ghuman Police District Batala, District Gurdaspur.

The counsel for the petitioner *inter alia* submits that the petitioner neither abetted nor incited deceased Manohar Singh to end his life by shooting himself. The counsel for the petitioner submits that the petitioner is in custody since 21.8.2022 and during trial the complainant while appearing in the witness-box failed to support the case of prosecution

and on the same ground co-accused Gurmukh Singh and another were granted concession of regular bail by this Court vide order dated 16.1.2023 (Annexure P-3).

The counsel for the complainant has admitted that complainant while appearing in the witness box has resiled from his previous statement.

The instant petition is contested by the State counsel, who on instructions from ASI Lakhwinder Singh apprised the Court that trial is going on. However the State counsel has not disputed the fact that earlier Gurmukh Singh and another have been granted concession of regular bail by this Court.

I have considered the submissions made by counsel for the parties.

In view of the above as the complainant failed to support the case of prosecution while appearing in the witness box and was declared hostile. So no purpose is going to be served by keeping the petitioner behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

20.02.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No