

**(217) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-25691-2022

Date of Decision:17.01.2023

Jaswinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Mr. Vikasdeep Singh, Advocate for the petitioner.

Mr. Rajiv Verma, D.A.G. Punjab.

SANDEEP MOUDGIL, J. (Oral)

This petition under Section 439 Cr.P.C has been filed for grant of regular bail to the petitioner in FIR No.176 dated 24.06.2021 registered under Sections 304/342/34 IPC at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner contends that the trial has progressed to a reasonable stage wherein the complainant/son of the petitioner has turned hostile on whose complaint the FIR in question was lodged. The deceased is none other than the mother of the complainant.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, D.A.G. Punjab, accepts notice and candidly and rather fairly submits before this Court that the main witness has turned hostile and has produced the custody certificate. A perusal of the same would show that the petitioner is behind bars for the last 1 year, 6 months and 21 days.

Considering the totality of facts and circumstances of the case particularly the fact that main witness i.e. complainant/son of the petitioner has turned hostile, no fruitful purpose would be served by further detaining the

petitioner behind bars, this petition is allowed and the petitioner is ordered to be

released on bail subject to the satisfaction of concerned Chief Judicial
Magistrate/trial Court/Duty Magistrate.

17.01.2023
rajeev

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No