

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-25001-2023 (O&M)
Date of Decision:- 22.05.2023

Baljinder Singh @ Biru ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dheeraj K. Sharmal, Advocate, for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Kulbir Singh.

FIR NO.	DATE	POLICE STATION	OFFENCES
19	26.01.2021	Dehlon, District Ludhiana	341, 326, 506, 148, 149, 427 IPC (Section 307 IPC added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case arising out of above mentioned FIR.
2. The FIR was lodged at the instance of injured complainant Manpreet Singh wherein he alleged that on 24.1.2021 when he was irrigating

his fields, then he was inflicted injuries by the accused who had come on 4-5 motorcycles.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the falsity would be evident from the fact that when the injured complainant stepped into the witness box, he did not support the case of prosecution at all and was declared hostile.
4. Opposing the petition, learned State counsel has submitted that since the names of all the accused are specifically mentioned in the FIR itself, it is apparently a case where the petitioner has been able to win over the witness or has threatened him to make a statement in his favour. Learned State counsel has however, informed that the petitioner as on date has been behind bars since the last about 2 years, 2 months and 17 days and is not involved in any other case. Learned State counsel has not disputed the fact that the complainant-Manpreet Singh did not support the case of prosecution when he stepped into the witness box.
5. This Court has considered the rival submissions.
6. Having regard to the aforestated position wherein the petitioner has been behind bars for a substantial period of more than 2 years and 2 months and the complainant has not supported the case of prosecution, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds

to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

22.05.2023
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No