

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26564-2022 (O&M)
Date of Decision:-01.05.2023

KARANVEER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Tarunveer Vashist, Advocate
for the petitioner.

Mr. Hakam Singh, AAG, Punjab.

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KARAMJIT SINGH, J. (Oral)

CRM-19449-2023

1. In view of the reasons mentioned in the application, the same is allowed and copy of statement of PW-1/Jarnail Singh is ordered to be taken on record as Annexure P-2, subject to all just exceptions.

Main Case

1. Prayer is for grant of regular bail in case having FIR No.249 dated 31.10.2021 registered under Sections 307, 323, 324, 506, 148, 149 IPC

(Sections 25/27 of Arms Act), at Police Station Samana, District Patiala.

2. In the present case, FIR was registered at the instance of Gurmeet Kaur wife of Jarnail Singh, on the allegations that on 29.10.2021, the accused persons named in the FIR along with 15/20 unidentified persons gave beatings to her husband Jarnail Singh and father-in-law Nachttar Singh and also caused injuries including fire arm injuries to Jarnail Singh.
3. The counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case as earlier he was not named in the FIR and later on impleaded as accused on the basis of statement of injured Jarnail Singh, which was recorded after 3 days of the alleged occurrence. The counsel for the petitioner further submits that said Jarnail Singh while appearing in the witness box as PW-1 has not supported the case of prosecution and copy of his deposition is Annexure P-2. The counsel further submits that the petitioner is incarcerated since last 1 year and 1 month and it will take considerable time for the trial to conclude. Counsel for the petitioner further submits that other accused persons including Jasbir Singh have been enlarged on bail. So prayer is made that the present petitioner be also released on regular bail.
4. The instant petition is resisted by the State counsel, who submits that the petitioner was member of unlawful assembly which caused injuries to Jarnail Singh. During investigation, petitioner was arrested and recovery of one *Gandasi* was effected at his instance. However the

State counsel has not disputed the fact that he is in custody since 1 year and 1 month and during trial injured Jarnail Singh failed to support the case of the prosecution and has not identified the petitioner.

- 5. I have considered the submissions made by counsel for the parties.
- 6. In view of the above as the injured-Jarnail Singh retracted from his earlier statement while appearing in the witness-box as is evident from Annexure P-2, so no fruitful purpose is going to be served by prolonging judicial custody of the petitioner for indefinite period.
- 7. 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.

01.05.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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