

S. No.212

2023:PHHC:125139

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

CRM-M-41386 of 2023

Date of Decision:22.09.2023

**Amarjit Singh
Vs.**

.....Petitioner

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Shivraj Angi, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., prayer has been made by the petitioner for grant of regular bail in case FIR No.0182 dated 15.10.2021 registered under Sections 302 IPC at Police Station City-2, Mansa, District Mansa (Punjab).

As per prosecution case, on 15.10.2021, petitioner killed his father Harnek Singh by giving sword blows. FIR was lodged by nephew of the petitioner, i.e. Hardeep Singh, who is the sole eye witness.

Contention of learned counsel is that the petitioner has been falsely implicated and that the sole eye witness of the case, namely, Hardeep Singh has not supported the prosecution during his testimony before the trial Court.

Learned State Counsel concedes that Hardeep Singh is the sole eye witness of the case.

Perusal of the statement of sole eye witness Hardeep Singh (Annexure P.2) would reveal that though he proved the occurrence regarding killing of his grandfather but sated that some identified person has killed his

grandfather and that accused present in the Court, who is his uncle, i.e. petitioner, is not the person, who killed his grandfather.

Having regard to the afore-said facts and circumstances of the case, but without commenting anything further on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned.

September 22, 2023

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Whether Speaking/reasoned

Whether Reportable

(DEEPAK GUPTA)

JUDGE

Yes/No

Yes/No