

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203 CRM-M-29947-2024.
Date of Decision: 20.06.2024.

Rahul MattuPetitioner.
Versus
State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Karanjit Singh, Advocate for petitioner.

Mr. Amit Shukla, Assistant Advocate General, Punjab.

FIR No.	Dated	Police Station	Section/s
274	30.11.2021	Gate Hakima, District Police Commissionerate Amritsar	302, 307, 323, 336 IPC and 25 Arms Act.

Gurvinder Singh Gill, J.(Oral)

1. The petitioner seeks grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of one Vikram Raj @ Vicky, wherein it is alleged that the petitioner alongwith co-accused had fired at complainant’s brother Saurav leading to his death.
3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the instant case and his falsity would be evident from the fact that when complainant stepped into the witness-box, he did not support the prosecution case. It has further been submitted that two other injured eye-witnesses namely Vinay Gill and Vinay Kumar also resiled from their statements when they were examined in the Court during the trial.

4. Learned State counsel has not opposed the aforesaid position regarding resiling of above mentioned witnesses. He has however opposed the bail on the ground that ballistic report is still awaited. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about ten months and nine days. Learned State counsel has further informed that petitioner stands involved in two more cases including a case under NDPS Act.

5. This Court has considered rival submissions.

6. Without commenting anything as regards the merits of the case, but while noticing that the petitioner has been behind bars since last more than ten months and also the fact that material prosecution witnesses including the complainant and injured witnesses have already resiled from their statements, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

20.06.2024
jitender

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No