

(230)  
IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-63215-2023  
Date of Decision: 10.01.2024

AMANDEEP SINGH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Akshay Chadha, Advocate for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

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JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.36 dated 27.02.2023 registered under Sections 317, 307, 325 and 120-B IPC and Section 302 IPC added later on vide a Special Report dated 31.03.2023.

2. The learned counsel for the petitioner contends that a similarly situated co-accused namely, Ramandeep Kaur wife of the petitioner had been granted the concession of bail. The three material witnesses namely, Shashi Saxena (PW1), Surinder Arora (PW3) and Balwinder Singh (PW4) have been examined as prosecution witnesses and had not supported the case of the prosecution. As the petitioner was a first-time offender, in custody since 05.03.2023 and only 04 of the 17 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon and therefore, the petitioner was entitled to the concession of bail.

3. On the other hand, the learned State counsel contends that serious allegations have been levelled against the petitioner and his co-

accused. Therefore, he was not entitled to the concession of bail. He, however, concedes that the petitioner was a first-time offender, in custody since 05.03.2023, all the material witnesses have turned hostile and that a similarly situated co-accused namely, Ramandeep Kaur had been granted the concession of bail by this Court vide order dated 12.12.2023 passed in CRM-M-52882-2023.

- 4. I have heard the learned counsel for the parties.
- 5. Admittedly, the material witnesses have turned hostile. Whether the remaining evidence is sufficient to affix the guilt of the petitioner shall be adjudicated upon during the course of the Trial. The petitioner is a first-time offender, in custody since 05.03.2023 but only 04 of the 17 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. Further, Ramandeep Kaur has been granted the concession of bail by this Court vide order dated 12.12.2023 passed in CRM-M-52882-2023. In this situation, the further incarceration of the petitioner is not required.
- 6. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Amandeep Singh son of Jaswant Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.
- 7. The petition stands disposed of.

(JASJIT SINGH BEDI)  
JUDGE

10.01.2024

JITESH

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