

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

**CRM-M No.28183 of 2015 (O&M)**

**Date of Decision: 17.12.2015**

Joga Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH**

Present: Mr. Ishan Gupta, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab  
for the respondent/State assisted by S.I. Balwant Singh.

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**JASWANT SINGH, J. (Oral)**

The prayer is for grant of regular bail in case FIR No.50 dated 30.04.2015, under Sections 307, 353, 186, 148, 149 of the Indian Penal Code and Sections 25, 54, 59 of the Arms Act, registered with Police Station Nurpur Bedi, District Rupnagar (**Annexure P-1**).

As per the allegations, on secret information, the police party on the intervening night of 29/30.04.2015, intercepted a Verna Car, transporting the Members of a Gang of Jaggu, one hard core criminal, imprisoned as under-trial in the District Jail, Faridkot. The occupants of the Car upon such interception, tried to flee by firing shots at the police officials. In retaliation, the firing of the police led to injury and apprehension of one of the accused, namely, Manpreet Singh while the petitioner/accused-Joga Singh was apprehended on search from the nearby jungle. From the said injured/accused-Manpreet Singh, one country made pistol i.e. .32 bore revolver along with two live cartridges and four empty cartridges were recovered.

The prosecution story is the Gang Members were going to kill one Neeraj Kumar.

Learned Counsel for the petitioner/accused contends that no overt act has been attributed to the petitioner even in the disclosure statement of the co-accused and, therefore, he was just an occupant of the Car. He further submits that the petitioner is in custody since 30.04.2015. The challan was presented on 26.06.2015 after completion of the investigation. Till now, the evidence has not commenced and the petitioner is not involved in any other case.

Learned State Counsel, assisted by S.I. Balwant Singh, is unable to refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the totality of the circumstances and the custody period, this Court finds that petitioner/accused-Joga Singh deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Rupnagar.

Disposed of.

**December 17, 2015**  
Gagan

**(JASWANT SINGH)**  
**JUDGE**