

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-34252 of 2015

Date of Decision: October 13, 2015

Jagga @ Sukhpal

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.A.S.Sullar, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.131 dated 23.04.2014 under Sections 148, 149, 323 and 302 IPC, registered at Police Station Gannaur, District Sonapat.

Notice of motion.

Mr.Himmat Singh, Asstt. Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and contests the petition.

Police record is also available.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that in the present case petitioner

Jagga @ Sukhpal is named in the FIR. He is stated to have taken

active participation in the commission of the offence and has caused injuries to the deceased.

Learned counsel for the petitioner argued that eye witness has not supported the prosecution case. This Court is not to appreciate the evidence at this stage. It is firstly to be appreciated by the trial court and secondly the trial is going on and the prosecution is to produce other evidence collected during the investigation.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and in view of the fact that active participation has been attributed to the present petitioner, I do not find it a fit case where petitioner is entitled to benefit of regular bail. There is every possibility that petitioner may tamper with the evidence and may abscond also, if he is granted bail.

Therefore, finding no merit in the present petition, the same is dismissed.

However, as the petitioner is in custody since May 2014, the trial Court is directed to expedite the trial by giving short adjournments and even to adjourn the case on day-to-day basis, if required.

October 13, 2015
Vgulati

(INDERJIT SINGH)
JUDGE