

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

CRM No. M-34695 of 2014 (O&M)

Date of Decision: 15.05.2015.

Jagjeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Anurag Chopra, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

Mr. ADS Sukhija, Advocate for the complainant.

....

TEJINDER SINGH DHINDSA.J.

This order shall dispose of the instant petition filed under Section 439 Cr.P.C. seeking the benefit of regular bail to the petitioner in case FIR No.68 dated 25.08.2013, under Sections 307/148/149 IPC, registered at Police Station Mulepur, District Fatehgarh Sahib.

Counsel for the parties have been heard.

The occurrence is stated to be on 25.08.2013. As per prosecution version, complainant, Gurpreet Singh along with his brother Ishwar Singh had gone to the fields whereupon they were attacked by number of persons including the present petitioner, who is stated to be armed with a rifle. As per complainant, petitioner had fired from the rifle and a shot had hit on the right side of the chest of Ishwar Singh and thereafter shots had even hit on his legs and back.

It is the categorical contention raised on behalf of the petitioner that the injuries suffered by Ishwar Singh have been opined to be simple in nature. Further contention raised is that upon an application having been

preferred by the complainant, investigation had been marked to another official and on the basis of which, Jasbir Singh @ Kala was sought to be implicated on the basis that he was the owner of the vehicle in which the accused had come on the spot and on the date of occurrence and being the owner of the gun used at the time of occurrence.

Such contention raised by counsel for the petitioner have not met any rebuttal by the learned State counsel.

It has gone uncontroverted that the co-accused, Jasbir Singh @ Kala has been granted the benefit of regular bail by this Court in the light of order dated 12.11.2013 passed in CRM No.M-34472 of 2013.

The petitioner has been custody since 10.09.2014.

The trial would take time to conclude as it has been informed that prosecution has now filed application under 319 Cr.P.C. seeking summoning of some additional accused and who otherwise have been found to be innocent at the time of submission of final report.

In the totality of circumstances, the petitioner is held entitled to the concession of bail.

Petition is allowed.

Petitioner be enlarged on bail subject to the satisfaction of the trial Court/Duty Magistrate, Fatehgarh Sahib.

Disposed of.

15.05.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**