

Sr. No.216

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

CRM No. M- 11166 of 2017 (O&M)

Date of Decision:15.05.2017

Jaggi

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Buta Singh Bairagi, Advocate
for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

Mr. K.P. Bawa, Advocate
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner in case FIR No.181 dated 07.11.2015, under Sections 307/34 of Indian Penal Code and Section 302 IPC (added later on), registered at Police Station Moga City, District Moga.

Counsel for the parties have been heard.

FIR has been registered on the statement of Jugraj Singh. Allegations against the present petitioner as also three other co-accused are with regard to having assaulted Jagdish Singh (since deceased) with a common intention to kill.

Motive attributed is that Jagdish Singh (since deceased)

on previous occasions had uttered derogatory remarks regarding the character of co-accused Sonia, who is wife of the present petitioner. As per prosecution version, the present petitioner had raised lalkara and co-accused Sonia had pushed deceased and which resulted in his falling down in the dry canal resulting in neck injury.

As per postmortem report, the cause of death has been opined to be complication due to spinal cord compression.

Petitioner was arrested on 09.11.2015.

State counsel would apprise the Court that out of 15 witnesses cited, three have been examined till date.

Trial, as such, would take time to conclude.

Co-accused Sonia and who had been attributed the role of having pushed the deceased on the exhortation of the present petitioner, has been granted benefit of bail.

Without making any observations on merits and keeping in view the length of incarceration suffered by the petitioner, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of trial Court/Duty Magistrate, Moga.

Petition disposed of.

15.05.2017

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**(TEJINDER SINGH DHINDSA)
JUDGE**

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>