

**212 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CRM-M No.7065 of 2017
Date of Decision: 10.03.2017

JASWANT SINGH

-PETITIONER

VS

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. H.P.S. Ishar, Advocate
for the petitioner.

Mr. Shilesh Gupta, Additional A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner seeks regular bail in case bearing FIR No.117 dated 11.10.2016 under Sections 324, 34, 307 IPC registered at Police Station Budhlada, District Mansa.

The FIR was registered at the instance of the complainant who alleged that on 08.06.2016, he and his son Amrik Singh were present in their house. At about 7'o clock, he heard noise of his son in the street and when he and Amrik Singh came outside, then he saw that Jaswant Singh son of Darshan Singh had caught hold of his son from his arms. When the complainant tried to rescue his son from the clutches of said Jaswant Singh, then Jaswant Singh who was armed with Poker (metal rod with handle) gave him a blow in his abdomen on left side. Second blow was given above the abdomen into the lungs.

Third blow was given in the middle of the abdomen. He further gave a blow which ultimately landed on the left shoulder. Thereafter, Jaswant Singh @ Gogi and Teenu Singh also came in support of the petitioner and they also gave slaps and punches to the sons of the complainant namely Lovepreet Singh and Amrik Singh. On raising alarm, accused fled away from the spot.

During the course of investigation, there was a shift in respect of attribution qua the accused persons. The role attributed to Jaswant Singh son of Darshan Singh has been attributed to Jaswant Singh @ Gogi. The occurrence took place on 08.06.2016 and the FIR came to be registered on 11.10.2016 i.e. after a period of four months. Jaswant Singh @ Gogi has already been granted regular bail by this Court in CRM-M No.5275 of 2017 on 22.02.2017. It is only in the supplementary statement made by the complainant on 14.10.2016 that complicity of the original Jaswant Singh has been diluted vis-a-vis Jaswant Singh @ Gogi. The recording of supplementary statement of the injured/complainant on 14.10.2016 particularly in view of the fact that he remained fit during the intervening period i.e. from the date of occurrence till making of such statement would be debatable at the trial.

At this juncture, without embarking upon merits of the case, I deem it appropriate to enlarge the petitioner on regular

bail.

In view of above, the petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

10.03.2017
Jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No